

STATINTL

21 December 1972

MEMORANDUM FOR: Deputy Director for Support

SUBJECT: Historical Farm Traces on Campus

I had a call from the National Capitol Park Service's Jim Putnam, telephone 557-8992. They have discovered a 1776 farm site adjacent to our campus. They propose to do something about it in a reconstruction or historical park sense. They think there may be some adjacent archeological remnants to this farm on our property. They ask if someone who might have access to old plats, early survey maps, etc., etc. prior to the development of the area get in touch with them.

I told the man that unless he turned out to be the KGB trying to dig a hole in our campus, I am sure we would be glad to get in touch with him and do for him whatever we could.

I would appreciate it if somebody could get in touch with Mr. Putnam. I gather that some of our people already are exchanging data with the National Capitol Park people on our property here. Mr. Putnam said he would be glad to keep us posted on any press releases they do on the matter.

/s/ Angus MacLean Thuermer

Angus MacLean Thuermer  
Assistant to the Director

cc: Director of Security

## 14 CITY POLICEMEN GOT C.I.A. TRAINING

Learned How to Analyze  
and Handle Information

By DAVID BURNHAM

Fourteen New York Police-  
men—including First Deputy  
Police Commissioner William  
H. T. Smith and the com-  
mander of the department's  
Intelligence Division—received  
training from the Central Intel-  
ligence Agency in September.

A spokesman for the C.I.A.,  
Angus Thuermer, confirmed  
that the 14 New Yorkers had  
been given training but denied  
that the agency had regular in-  
struction programs for local  
police officials.

Mr. Thuermer acknowledged,  
however, that "there have been  
a number of occasions when  
similar courtesies have been  
extended to police officers  
from different cities around  
the country."

In response to an inquiry,  
Mr. Thuermer said he was not  
able to determine how many  
police officials or how many  
departments had come to the  
Washington area to receive  
agency training.

"I doubt very much that they  
keep that kind of information,"  
he added.

Mr. Thuermer scoffed when  
asked whether the agency's  
training of policemen—some of  
whom are responsible for col-  
lecting information about po-  
litical activists—violated the  
Congressional legislation that  
created the C.I.A. to correlate  
and evaluate intelligence relat-  
ing to national security, "pro-  
vided that the agency shall  
have no police, subpoena, law-  
enforcement powers or internal  
security functions."

Twelve of the New York  
policemen—one captain, three  
lieutenants, five sergeants and  
three detectives—received four  
days of training from the C.I.A.  
in a facility in Arlington, Va.,  
beginning last Sept. 11, accord-  
ing to the Police Department.

Commissioner Smith and  
Deputy Chief Hugo J. Masini,  
commander of the Intelligence  
Division, attended one day's  
training, on Sept. 13.

Commissioner Smith said dur-  
ing an interview that in con-  
nection with the reorganization  
of the department's intelligence  
work, "we decided we needed  
some training in the analysis  
and handling of large amounts  
of information."

Mr. Smith said the depart-  
ment had decided that the  
C.I.A. would be the best place  
for such training. "They pretty  
much set this up for us," he  
explained. "The training was  
done gratis, only costing us  
about \$2,500 in transportation  
and lodging."

Both the International Asso-  
ciation of Chiefs of Police, a  
professional organization that  
does police efficiency studies  
and runs training seminars on  
a variety of law-enforcement  
subjects, and the Federal  
Bureau of Investigation said  
they were not equipped to pro-  
vide instruction on the storage,  
retrieval and analysis of intelli-  
gence information.

One branch of the Police  
Department's Intelligence Divi-  
sion, the security investigation  
section, is the subject of a  
pending suit in Federal court  
here. The suit, filed by a group  
of political activists, charges  
that the surveillance and infil-  
tration activities of the secur-  
ity section violate "the rights  
of privacy, free speech and as-  
sociation granted and guaran-  
teed" the plaintiffs "by the  
United States Constitution."

The present reorganization of  
the security section—and the  
part of the Intelligence Division  
that collects information on  
organized crime—is being fi-  
nanced by a \$166,630 grant  
from the Law Enforcement As-  
sistance Administration, a  
branch of the Justice Depart-  
ment. As of Oct. 13, a police  
roster indicated that there were  
365 policemen assigned to the  
Intelligence Division.

M - 2,129,909  
S - 2,948,786

DEC 10 1972

# What Really Happens Out There at

By FRANK VAN RIPER  
OF THE NEWS Washington Bureau

THE SIGN outside the entrance to the heavily wooded compound in suburban Langley, Va., says, "Bureau of Public Roads," but it's an open secret that what goes on beyond those gates has little to do with roads and even less to do with the public.

Behind the electronically monitored fences and constantly manned guard shacks is the Central Intelligence Agency. In recent months, the secrecy, size and capabilities of the nation's chief spy shop have been questioned by men who have been there, former agents themselves.

One of them, Patrick J. McGarvey, a 14-year veteran of the CIA, the National Security Agency and the Defense Intelligence Agency, contends that the amorphous "intelligence community" has grown so unwieldy, so redundant, in the last 10 years that the U.S. is now getting an intelligence product that is actually inferior to what it got a decade ago with fewer men and fewer machines.

And all this with the benign neglect of Congress which, McGarvey says, has approved the CIA's big annual budget request behind closed doors, with little inclination or desire to question the spending estimates of the agency's leaders, including CIA Director Richard M. Helms. Helms' planned departure from the CIA after six years, first revealed by THE NEWS last month, was seen in some quarters as an indication of White House concern over the size of the intelligence bureaucracy.

In an interview, McGarvey, a 37-year-old father of four who spends his spare time writing poetry and fiction and dreaming of one day owning an oyster boat in Chesapeake Bay, maintained that in the area of U.S. intelligence, "we're being deluged with much more information than we actually need."

The author of the recently published book, "CIA: The Myth and the Madness," McGarvey declared that "back in

## the Spy Factory?

the U-2 days, just before the satellites came into being, we were getting a goodly amount of solid intelligence from the biggies—the Soviets and the Chinese—enough that we could digest it properly, enough that it received the kind of critical acclaim within the intelligence community that it deserved.

"But today, for example, we have so many satellites pumping pictures back to us on a daily basis that nobody pays a damn bit of attention to them."

"Seventy to eighty per cent of the money now spent on intelligence is spent in technical collection, satellites and such, and it's ridiculously expensive and ludicrously redundant," McGarvey said. "The Army overflies all of Latin America taking pictures, and doesn't show them to the Air Force. The Army is interested in roads and ports and the whole schnur, while the Air Force is only interested in radar sites, missile sites and air fields, harbors, and that's about it. Each of

these guys is doing the same damn thing, and each individual budget has got a justification for it."

Several lawmakers, among them Sen. Stuart Symington (D-Mo.), ranking Democrat on the Senate Armed Services Committee, have been skeptical of U.S. intelligence-gathering, especially in light of such glaring failures as the 1968 Pueblo affair — which McGarvey says was unnecessary and could have been avoided—the abortive Son Tay prison camp raid in November, 1970, when U.S. forces wound up raiding an empty North Vietnamese barracks in search of American PWs and the 1969 shootdown of a Navy EC-121 reconnaissance plane off the coast of North Korea.

"One can almost predict," McGarvey said, "an increasing number of intelligence failures on the scale of the Pueblo incident—and perhaps another war—because of the present dry rot that infects our national intelligence structure."

STATINTL

BY KATE HOLLIDAY

## AGENCIES SHUT ON WEEKENDS

No One's Minding the Store STATINTL

One recent Sunday, I became somewhat frantic trying to discover the latest special delivery postal rate. A call to the main Post Office downtown brought a man's voice on a lengthy recording. Its implication was that no sane employe would touch even so much as a presidential invitation after noon on Saturday, and that it was particularly unseemly of me to expect any assistance on the Lord's Day.

Hmmmm! Then I thought to try the Federal Information Center, listed among the "most frequently called" of the government agencies in the phone book. Another recording, this one advising me sternly that the office was open from 8 to 4 on weekdays (the last two words stressed). Foiled again.

I read through the entire list of federal offices, seeking a glimmer, until I met my match at the end. The notice read, "If unable to find the desired office listed above, call the Federal Information Center."

What's going on here? Who's running the store? It's simple: No one is—on weekends.

*Kate Holliday is a Los Angeles writer who has contributed to such magazines as Reader's Digest, True and McCall's. She has experienced plenty of emergencies in her time, particularly while serving as a war correspondent in Korea.*

Anyone who wants help from a federal, state, county or city bureau on Saturday or Sunday, with few exceptions, is out of luck. Despite our nation's massive Civil Service contingent on all levels, if you have a medical emergency, a parole emergency, a dead animal in your back yard, or merely want information, forget it. Most of the government is off till Monday morning.

There are some exceptions—the FBI, most police and fire outfits, as well as the Secret Service. But, oddly, no one answers at the CIA or the state fire marshal's office.

The Federal Immigration and Naturalization Service has a line that takes police calls only, and the woman who answers tells you that, no matter how dire your trouble, "There's not a thing you can do until Monday morning." The Earthquake Disaster Service and the Veterans Administration Clinic for Medical Information don't even deign to do that.

You're not much better off with the state health people. The Medical Information listing doesn't answer, nor does the Narcotic Outpatient Clinic. And, when I called the emergency number of the Public Health Administration, I got no reply at all. So I called it again, and a man, who came on the line informed me he was the janitor.

"Do you take emergency calls?" I asked.

"No," he said, kindly, "but I can write a note and leave it somewhere for you, so they'll get it tomorrow."

I made further tests in a two-hour session at my phone, letting each call ring at least seven times. On the health scene, only the county emergency people are on the job—if you need them on a weekend. (Yes, I know there are receiving hospitals in the area, but what if someone doesn't have a car? Is too ill to

move? Too mute to signal assistance? Just wants fast information on a poison, say?) For the county, a woman responds on 629-2451 with a cheery, "We're here!"

The county has made a big thing of its 24-hour-a-day "Good Neighbor" program of providing emergency foster homes for children. Although there are two listings for it in the phone book, neither answered at 3:45 on a Sunday afternoon.

Speaking of children, when I called Griffith Park to ask about the procedure in reporting one lost, a ranger said two security officers were there after 5:30, "but they're rarely in the office to man the phone." Dandy.

A woman in Long Beach nearly went out of her mind a few years ago when, during a holiday parade, a horse died and was dragged onto her lawn lest it disrupt traffic. She was told, as I was, that the animal pickup service did not send anyone out after 2:30 p.m., horse or no horse. They'd come the next day—maybe.

If the military and protective forces can routinely assign duty officers over the weekend, why can't the state, county, city and federal agencies follow suit? They might not only save a few lives but keep hundreds of ordinary citizens like me from climbing the walls.

Nevertheless, there is a glimmer of light at the end of the tunnel. Last August, Gov. Reagan signed a bill that will establish 911 as a statewide number to call in case of emergency any day of the week—but not till 1982. (The law stipulates that pay phones must be converted for free access to police, firemen and ambulance services.)

This is a step in the right direction, but I'm not exactly a spring chicken, and anything might happen during the next 10 years.

If it does, oh Lord, please let it happen to me on a Monday, Tuesday, Wednesday or Thursday. Now that the four-day work week is coming up, I've even grown scared of Friday.



*BEST COPY*  
*Available*

23 Nov 1972

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# Intrigue: Eastern Shore crop?

By John Schmadeke  
Dover Bureau Chief

These hadn't been easy weeks, Durell recalled. You were tested for leadership and ingenuity in dozens of grueling ways.

"There were no rules of fair play at The Farm. Every dirty trick in the book was sprung on you. You trusted no one—not your fellow candidates, who would cajole you into friendship, nor the instructors, who could use a powerful attitude to suddenly trip you up and slide a knife across your throat.

This description of The Farm is from a spy thriller by Edward S. Aarons—"A Shipment: Madeleine."

The protagonist is one Sam Durell, the best spy in the super spy sector K Section of the Central Intelligence Agency.

The Farm, according to Aarons' long series of books on Durell, is located somewhere on the Eastern Shore of Maryland. It's a place where the CIA trains its best agents.

A rain rain was falling, leading the Chesapeake, scattered beyond the village of Plover John (fictional) in Maryland, into a dimpled place of silver army steel.

"He'd been driven over for a Victorian for breakfast with Madame Budapest, with a long winter's weekend ahead of them. I was here, just the two of them," Aarons writes in "A Shipment: Budapest."

The Farm is also supposed to be a place where overworked K Section agents go for rest and recuperation.

But does it really exist?

In fact, the Soviet government released Francis Gary Powers, the American U-2 spyplane pilot, from prison. It was rumored that the CIA had a secret training farm in Talbot County, Maryland.

The theory is that it took Powers for the American people to believe that the CIA was spying. It would be unlikely

that The Farm would be listed in Maryland tourist guidebooks.

BUT if it exists, it's a 68.24-acre piece of land nestled along the Choptank River about 15 miles southwest of Easton.

It's on a spit of land known as Benoni Point. A red brick mansion, a pier and a few outbuildings can be seen from the air. Nothing but a mailbox with no name on it and a "no trespassing" sign can be seen from the road.

The land lies along a dirt road which has no name and is not included on official Maryland highway maps. It forks to the right off the road leading to the Bellevue-Oxford Ferry.

From the air, one can see small boats pulled up along the tree-lined shore. There are trees all around the place; nothing but trees all around the place; nothing but trees can be seen from ground level.

If Aarons is to be believed and if K Section ("an agency so secret that even the government doesn't know about it") has a hand in the place, cautious reporters aren't likely to get the red-carpet welcome.

FIRST things first, however. If one is on a mission looking for a secret hideaway, one must be careful how one handles oneself.

"I'm looking for a list of all federal land in Talbot County," one begins by saying to the clerk in the county courthouse.

"We don't have too much," she says, pulling open a drawer stuffed with tax maps.

She talks about a Navy lighthouse and a historic monument of some sort.

Then, just as the reporters are about to leave, the clerk remembers something. In true spy novel fashion, she had a dirty nap at the bottom of the drawer.

"The government owns some land here, but they won't let you in," she says. One has to be discreet, catching the eye of the clerk and

nals a "that sounds like what we're looking for" with a quick wink.

After a few more minutes of laying out a route, the newsman is off.

LEAVING down the v-marked road, one sees farmers (agents in disguise?) working in fields. There are signs everywhere in the area that say "No Trespassing. Survivors will be prosecuted."

Using the highly trained reasoning powers a reporter must have, one figures out that the place with no name on the mailbox and the simple "no trespassing" sign must be the government land.

The lane into the place also has that well-policed appearance characteristic of military-type land.

Next-door neighbor George Lewis Jr. (another agent? one wonders) is pleasant when asked about the place.

"I've been over there," he says, noting that he knows the "cardiologist."

"They've got some big dogs over there," his wife says pointedly.

BELIEVING the old saw about discretion being the better part of valor, one decides it might be safer to get a look from the air.

"You government men?" the pilot asks.

We finally confess that we're reporters. He says everyone in the area assumes the place is a CIA rest camp.

Perhaps a phone call to the CIA might answer some questions.

"351-1160," the receptionist answers in a confidential voice. Even though the number is listed under the Central Intelligence Agency in the Washington, D.C., phone book,

no one every mentions the name.

Then, just as the reporters are about to leave, the clerk remembers something. In true spy novel fashion, she had a dirty nap at the bottom of the drawer.

"The government owns some land here, but they won't let you in," she says. One has to be discreet, catching the eye of the clerk and

ONE feels that in the best interests of national security, one should refrain from mentioning the name also.

"I'm calling about some land in Maryland you, er, your agency, I guess, owns."

At first they say they don't know anything about the land but promise to check. A while later, a call from a "spokesman" comes back.

It turns out the CIA does own the land. "It's used for management seminars it's training, but on the management side, the "spokesman" says.

"It's not a spooky place at all," he says reassuringly. "It's not used for guerrilla warfare."

Then how about a look at the place?

The CIA has a standing policy of no tours through any of its establishments, the spokesman says cordially.

STATINTL

NEW YORK TIMES  
21 NOV 1972

## Bratwurst at C.I.A. Cafeteria Sample of New Capital Fare

Special to The New York Times

WASHINGTON, Nov. 20—If you could get security clearance, you could treat yourself to a German-style lunch of bratwurst with sauerkraut, or knackwurst with red kohl, at a little out-of-the-way spot called Die Wunder Deli Bar.

Security clearance to get into a delicatessen? Absolutely, when it's in the cafeteria of the Central Intelligence Agency, tucked away in the woods of Langley, Va., just northwest of Washington.

But say you're more the meat-and-potatoes type. If you had business to do at the State Department, you might drop into the cafeteria there to pick out a likely looking rib eye steak, have it charbroiled to order by an agile grillman who wears a black 10-gallon hat, and sit down to a hearty meal with french fries and sliced tomatoes.

All this is possible these days because of a move by the Government to make more inviting the 145,000 lunches that it serves every day to Federal workers in the Washington area—a task that compares to feeding the entire population of Paterson, N. J.

### A Mixed Reaction

The remodeled State Department cafeteria, with its orange-paneled pillars and side walls the color of underripe bananas, is the most recently completed. Along with the grill, which also serves up barbecued spareribs and chicken platters, there is a seafood line that includes scallops and fish and a shrimp basket with french fries and coleslaw.

The reaction of customers has been mixed.

"Well, it's brighter, and they've put in some new equip-

ment," an executive secretary in the foreign aid area said over lunch one day. "But I was satisfied the way it was before."

On the other hand, a young foreign aid specialist who had just emerged from the grill area was happy about the whole thing.

"I've been spending more money on lunch because I'm more attracted to the food," he said. "I used to spend about 80 cents; now I average about \$1.30, \$1.60 a day."

The improvement program was begun about three years ago, when the Government's housekeeping agency, the General Services Administration, discovered that the 35 cafeterias that are serviced under one contract in Government buildings here were losing customers and money.

### A Side Benefit

The nonprofit corporation that has run the cafeterias for going on 50 years was told to bring in some new management talent and fresh ideas to improve the food and surroundings.

"We're trying to get away from the institutional stereotypes—the long lines, green-gray walls, the dull appearance of foods—and create as much atmosphere as we can, like the cook in the cowboy hat," explained Frank Capps, the G.S.A. official in charge of Government buildings.

The trick was to provide all this and still keep the meals reasonably priced by the standards of Government workers who, according to cafeteria managers, seem to think of lunch as a side benefit of their employment.

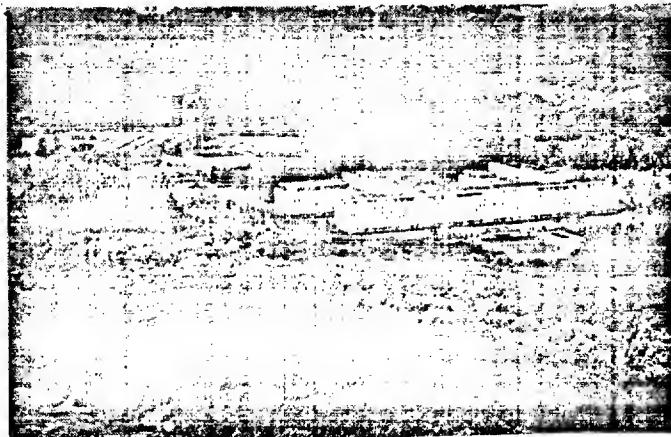
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28 AUG 1972

Typical of the battles over land was a proposal to create a 230-acre park out of some wooded green hills along the Virginia bank of the Potomac River near Washington, D. C.

The tract was owned by the Federal Highway Administration, which wanted to retain the land for future expansion of its research laboratory. Opposition to the plan also was expressed by the Central Intelligence Agency next door, which preferred to keep the public as far away as possible from its headquarters.

Under the compromise finally reached, some of the land was transferred to the National Park Service for public recreation, while other portions were divided between the Highway Administration and the CIA.

In Virginia, woodlands adjacent to the Central Intelligence Agency recently were turned into a public park. Surplus property in 39 States has been acquired for recreation areas.



BOSTON, MASS.

STATINTL

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M - 237,967

S - 566,377

## NEW FICTION SHELF

# CIA — fact and fancy

By Robert A. McLean  
Globe Staff

*COMPANY MAN*, by  
Joe Maggio. G. P. Putnam's  
Sons, 222 pp., \$6.95.

Fictionalized exposes of America's secret agencies, like the Central Intelligence Agency here, usually ring true in places and smack of melodrama in others.

But, some will say, much of what the CIA reportedly does sounds more like a Class B spy thriller in the first place, so why not relax and enjoy yourself.

Ex-CIA mercenary Maggio has some fine moments as he follows Company Man Nick Martin from his recruitment into the CIA's Special Operations Division (SOD) through a decade of undercover assignments in Cuba, Vietnam and the Congo and to his ultimate and abrupt separation from the agency.

When you fall out of favor in the Company, they don't fire you; they fire at you. Ex-Marine and former Green Beret Martin is accustomed to the hard life, but he decides to quit after he disobeys orders to rescue South Vietnamese partisans, and the Company reassigns him to an "expendable" role in the trigger-happy Congo.

Maggio's detailed description of the CIA's secret training academy in Virginia, where Martin learns his new trade, is perhaps the most-interesting section of the novel. It sounds like Maggio might have been through the

The Martin adventures — the Bay of Pigs, Tonkin Gulf, and Cambodia — sound more like actual CIA operations; they are that slam-bang and wild. And his defection to the Congolese mercenary forces again sounds as if it may have happened to someone, perhaps with not as much blood, sweat and gore as Martin's retirement, but in some similar fashion.

Maggio obviously has a deep gripe against the Company, and he happily expounds on it, as any disgruntled Company Man, at every opportunity. But at the same time he dashes off some fair-to-middling adventure prose, with enough cutting and thrusting, bombing and blasting, to satisfy any devotee of violence.

STATINTL

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11-17 August 1972

# MIAMI BOMB PLOT

## Democratic Party wiretapping linked to

ART KURKIN

STATINTL

## CIA assassins

Less than two weeks before the opening of the Republican National Convention, a press conference held at the Los Angeles Press Club heard a woman speaker say that the five men caught wiretapping the Democratic Party National Committee headquarters in Washington's Watergate Hotel were not only involved in the Central Intelligence Agency, the Bay of Pigs invasion, and President Kennedy's assassination but also with plans first revealed last year by Los Angeles Police informer Louis Tackwood to disrupt the Republican National Convention. (See the *Los Angeles Free Press*, October 22, 1971.)

These charges were made by Mae Brussell, a well known private investigator into American political assassinations for the past nine years. She was accompanied by Michael McCarthy of the Citizens Research Investigation Committee, one of the CRIC investigators who originally checked out Tackwood's charges, and Paul Krassner, editor of *The Realist*. The current issue of *The Realist* (August, 1972) contains a 20-page article by Ms. Brussels which was distributed to the newsmen at the press conference as the basis for Ms. Brussels' assertions.

According to Ms. Brussell the Watergate Hotel, located in Washington, D.C., was the home of John and Martha Mitchell at the time of the attempted wiretapping of the Democratic Party National Committee. John Mitchell, former Attorney General of the United States, had shortly before resigned that prestigious position to head the important Committee to Re-Elect the President.

Also housed in the Watergate Hotel complex are the offices of the Democratic National Committee.

In the early morning hours of June 17, 1972, five men were arrested removing parts of the ceiling from the sixth floor panels in the Democratic National Headquarters. These men possessed expensive electronic equipment, cameras, walkie-talkies, burglary tools, and other James Bond accessories.

Two of the men arrested had in their possession the telephone number of Howard Hunt, White House consultant who had previously worked with the CIA for 21 years.

James McCord, Jr., employed as Chief of Security for Mitchell's Committee to Re-Elect Richard Nixon, was one of the five men arrested. McCord was formerly employed by the CIA for nineteen years, having left two years previously at approximately the same time as Hunt. McCord's position with the CIA was Chief of Security over the entire grounds of the immense CIA compound at Langley, Virginia. According to Mae Brussell, this put McCord in a very high, responsible position in relation to CIA Director Helms who could not conceivably carry out any intelligence planning without relying on McCord to ensure that CIA plans were kept secret.

Nine persons (all registered with false names suspiciously similar to names used in novels written by Howard Hunt) stayed at the Watergate Hotel May 26 to 29, and again June 17 and 18. Five of them, the night of their arrest, were discovered in the Democratic Party headquarters. Wills noticed pieces of scotch tape over the door locks. Washington police arrived and made the arrests.

According to Don Freed of CRIC (who was not at the press conference but submitted additional material to the *Free Press*), within six weeks of the first arrests it was known that at least 12 men and \$114,000 were involved, and that the invaders were discovered putting forged documents of some kind into files, not taking papers out. They were not burglars, they were not functioning with a "bugging" budget or with the numbers usually associated with mere wiretapping.

(We must caution, however, that the *Free Press* has no means at present of independently verifying facts such as documents being planted instead of being removed, and that Don Freed, evidently, bases much of his information on a collation from such sources as the *Washington Post*, which has published carefully documented articles on the raid. Freed has also made investigative trips to Washington, D.C.).

Following the raid, a million dollar suit was filed by the Democrats against the Committee for the Re-Election of the President for compensatory and punitive damages to the Democratic headquarters. The Nixon Committee then asked a U.S. District Court to postpone the suit until after the November 7th election. To hear the suit before the election, the Committee said, could deter campaign workers and contributions, force disclosure of confidential information and otherwise cause "incalculable damage" to President Nixon's campaign.

Continued

WASHINGTON POST

8 AUG 1972

# U.S. Rejects Disclosure

By Sanford J. Ungar  
Washington Post Staff Writer

LOS ANGELES, Aug. 7

The Justice Department will accept a long postponement of the Pentagon Papers trial — or perhaps even drop the case — rather than disclose the contents of a "foreign intelligence" wiretap that led to a Supreme Court stay of all proceedings.

A Justice Department spokesman said today that the prosecutors in the controversial case will not seek to force Daniel Ellsberg and Anthony Russo to trial this week by revealing which of their 16 attorneys and consultants was overheard in non court-authorized electronic surveillance.

With the case stalled until the Supreme Court decides this fall whether to hear a defense appeal over the wiretap, disclosure of its contents was the last way the prosecutors could have made the trial go forward.

But John W. Hushen, public information officer for the Justice Department, said in a telephone interview that there was "no chance" such a move would be made.

Asked whether the government's insistence on the secrecy of the wiretap could lead to dropping the conspiracy, espionage and theft indictment altogether — if the Supreme Court should eventually require disclosure — Hushen said, "We hope not."

The crisis in the Ellsberg-Russo trial comes as a dramatic example of how a favored law enforcement tool of the Nixon administration, wiretapping, while purportedly successful in some areas, has backfired in another.

According to Hushen, electronic surveillance has been "the single most effective tool to get at organized criminal activity" in the United States.

Pointing to narcotics, bribery and other federal convictions, Republicans in Congress often boast of the administration's

statutory authority to wiretap that was allegedly ignored or purposely neglected by the

The conviction record has been impressive, with wiretap tapes and logs often providing evidence that the government found impossible to obtain otherwise.

But in the past month, government wiretapping was also responsible for the dismissal of at least four federal "political" prosecutions. Over a longer period, it has virtually sabotaged grand jury investigations in the "internal security" area.

If Ellsberg and Russo have their way with a Supreme Court that has already outlawed so-called "national security" wiretaps without a search warrant, the revelation of electronic surveillance could kill a number of other major cases.

A major difference, of course, is that wiretaps which produce evidence in narcotics and other such cases are invariably based on a court order.

In political cases, the surveillance was generally used for what the Justice Department calls "intelligence-gathering" purposes and was backed only by the administration's claim of inherent executive authority rather than by a court mandate.

Civil libertarians warn, however, that all wiretapping is of the same cloth and that the Fourth Amendment rights of many citizens (against unreasonable search and seizure) have been violated because of general public tolerance of government eavesdropping in organized crime cases.

They point with some concern, for example, to the Justice Department's recent decisions to drop cases rather than reveal to defendants what it has learned about them through bugging.

These are the prosecutions abandoned by federal authorities, when faced with a requirement to disclose "national security" wiretaps under the terms of last month's Supreme Court order:

• Abbie Hoffman, the "Yippie" leader, charged with assault during last year's Mayday antiwar demonstrations in Washington.

• Leslie Bacon, the California teenager originally arrested as a material witness in the bombing of the U.S. Capitol last year, who was charged with perjury after her testimony before a federal grand jury in Seattle.

• Lawrence Plamondon, a member of the White Panther Party, who was indicted in Detroit in connection with the bombing of a Central Intelligence Agency office in Ann Arbor.

• Bradford Lytle, of the People's Coalition for Peace and Justice, who was also charged with assault during the Mayday demonstrations and was prosecuted in D.C. Superior Court by a lawyer from the Justice Department's Internal Security Division.

Since the Supreme Court has declared such taps illegal, disclosure of their contents — in order to determine whether the evidence was tainted — would be necessary for any such case to proceed.

The Supreme Court has never ruled on the legality of "foreign intelligence" wiretaps like the one that has halted the Pentagon Papers case, but Justice William O. Douglas, in granting a stay, said that such distinctions may be a matter of "semantics."

STATINTL

WASHINGTON STAR

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30 JUL 1972

## Justice Drops White Panther Wiretap Case

DETROIT (UPI)—The Justice Department has dropped bomb conspiracy charges against Lawrence (Pun) Plamondon rather than disclose its wire tap evidence.

The 26-year-old co-founder of the radical but now defunct White Panther party had spent most of the 3½ years since he was indicted either in hiding or in jail. He had been on the FBI's Ten Most Wanted list.

Charges against two other former White Panther leaders, John Sinclair, 29, and Jack W. Forrest, 22, were also dropped.

The case was the third abandoned by the government since the June 20 Supreme Court ruling that wire taps against domestic subversive groups without court authorization are illegal.

Plamondon, Sinclair and Forrest were charged with conspiracy in the bombing of a CIA office in Ann Arbor, Mich., in late 1968. Plamondon was also charged with the actual bombing.



SAN FRANCISCO, CAL.

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EXAMINER &amp; CHRONICLE

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JUL 23 1972

courts

## CIA vs. Security

### --A Test Case?

THE three secrecy oaths signed by Victor L. Marchetti during the course of his career as an agent for the Central Intelligence Agency, had come back like persistent ghosts to haunt him. The problem last week for the 42-year-old ex-CIA executive - turned - author, though, was the locale the CIA "spooks" had chosen: the courts.

A U.S. District Court in Alexandria, Va. — a suburb of Washington — had granted the government unprecedented "prior restraint" after the CIA had filed suit against Marchetti to muzzle him on the subject of intelligence activities in the U.S. Marchetti, who had turned to writing as a way of making a living since he quit (in good graces) his CIA job in 1969, had published one spy novel and had had publishing offers for other work in a nonfiction category.

#### CIA Alarmed

Given to statements such as, "This excessive secrecy, the sanctity of the cult of intelligence, is just so much crap," and "In my opinion, the CIA is not qualified to decide what violates national security," Marchetti had roused the apprehension of his former colleagues.

In attempting to comply with the oaths of secrecy which were a condition of his employment, Marchetti — after leaving the organization — had allowed CIA employees to read unpublished manuscripts of his

nonfiction work. Apparently alarmed, the CIA had then filed suit in Superior Court, without informing Marchetti of its intent to do so.

The result had been the temporary restraining order, and the little-noticed emergence of a test case that showed signs of major significance in the contest between freedom of the press and government censorship.

The court had accepted government allegations of 35 breaches of security (publishing of classified material) in Marchetti's writings in magazines and other forms of publication. Marchetti had admitted only two of the alleged disclosures: the code name of a downstate Virginia CIA training "farm," and the title of the Air Force satellite reconnaissance organization.

However, on the strength of arguments that the government could obtain no adequate monetary compensation for damage caused by release of classified material, and that such disclosure constituted a violation of contract, District Court Judge Albert V. Bryan Jr. had ruled against Marchetti and had made the restraining order permanent.

The White House reportedly had been following the Marchetti case with intense interest. If the court decision were sustained in appeals courts and ultimately in the U.S. Supreme Court, the government would seize on the rul-

ing and insert secrecy clauses into all government employment contracts.

Such a move would probably have the effect of inhibiting press contacts with officials who would be more open to prosecution than before. In criminal cases such as that of Daniel Ellsberg, for example, a "heavy burden" of proof is required to gain a conviction for breach of contract, and both the intent to harm the national interest, as well as actual harm, must be proved. A civil court breach of contract case is relatively easier to win.

16 JUL 1972

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EX-AGENT SEEKS TO LIFT PLEDGE

## CIA Secrecy Decision Could Hinder News

BY ROBERT C. TOTH  
Times Staff Writer

WASHINGTON — A little-noticed government suit against an ex-CIA man is under way and could have far greater impact on government secrecy restrictions than the Pentagon Papers trial in Los Angeles.

A U.S. district court in Alexandria, Va., has enjoined Victor L. Marchetti, 42, now a writer, from violating the pledge of secrecy in his CIA contract. It granted the government unprecedented "prior restraint" via civil process on his writings on intelligence subjects.

If the government's view is upheld through appeal courts, authorities will have a potent new weapon for curbing security leaks.

The White House has followed the case closely and is considering inserting the same CIA secrecy provision into all government employment contracts if the suit is upheld in the courts.

This would probably inhibit press contacts with officials who would become more vulnerable to government legal action. Much less proof is needed to show a breach of contract in civil court than the "heavy burden" required of the government in criminal cases, like Daniel Ellsberg's, where intent to harm the national interest, as well as actual harm to those interests, must be proved.

On the other hand, if the courts uphold all of Marchetti's arguments, as presented by the American Civil Liberties Union, the CIA contract's secrecy agreement could be declared unenforceable and much more intelligence information would become public from former CIA employees.

This, aside from making a living, is Marchetti's declared aim. He wants to open the agency up to greater congressional and public scrutiny and to force the reform of what he calls its "elandestine-oriented" attitudes and practices.

"This excessive secrecy, the sanctity of the cult of intelligence, is just so much crap," Marchetti said in an interview in his comfortable suburban home. He alleges there is enormous waste and inadequate congressional control over the CIA's \$700 million annual budget and the operations of its 17,000 employees.

The CIA refuses to discuss the case.

Marchetti's experience dates back to the early 1950s, when he served in Europe as an Army intelligence officer. He later was graduated from Pennsylvania State University in Soviet studies and was recruited by the CIA out of the classroom.

He signed two secrecy agreements then. One pledged he would not disclose the initial interview. The second was signed when he began work and was a condition for employment. In it he swore claim to any intelligence information (or collection, handling and analysis of it) learned while in the agency and pledged "never" to reveal such information unless authorized in writing by the CIA chief.

By all accounts, Marchetti did well in the agency and left under no cloud. He first trained for clandestine work but turned to analysis of Soviet military affairs. He rose to become executive assistant to the deputy director, then Adm. Rufus Taylor. A year after Taylor retired, Marchetti resigned his \$25,000-a-year post.

When he quit in 1969, he signed a third secrecy agreement which in effect repeated his earlier pledge not to disclose without advance authorization intelligence information obtained while employed.

## Writes Spy Novels

To maintain the same standard of living for his wife and three children, Marchetti turned to writing spy novels and nonfiction on intelligence subjects. He believed he could bring a "certain realism" to these matters that would increase its market value.

From his recitation of the facts, Marchetti was not reticent about the watchfulness of the agency over his literary attempts.

He first wrote a novel, "The Rope Dancers," which the agency asked to read in its initial stages. Marchetti promised to submit it only in finished form. When the manuscript was completed, a CIA man called and asked to take it to the agency to be copied and studied. Marchetti refused, allowing it to be read only in his house. No objections were made to its content, he said. It was published and enjoyed modest success; an option for movie rights was purchased.

Then he turned to nonfiction, writing an article for the Nation in April ("CIA: The President's Loyal Tool"). He also prepared a piece for Esquire ("Twilight of the Spooks"), and drew up the outline for a nonfiction book. He submitted the outline and the Esquire draft to six book publishers; four made offers, one of which he accepted. But one publisher apparently told the CIA.

Marchetti had not cleared any of it with the agency. He said he intended to submit the unpublished nonfiction when it takes final shape, which means after his editors have seen it. He did not, however, submit the Nation article for clearance at any time because, he said, "there was nothing in it to damage national security."

"That's my judgment," he acknowledged. "In my opinion, the CIA is not qualified to decide what violates national security." Some independent body like the courts should make such decisions, he said.

## Restraining Order

The agency moved on April 18, a month after getting the unpublished material, to enjoin Marchetti from alleged further agreements. Without his

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continued

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BOSTON, MASS.  
 RECORD-AMERICAN  
 M - 438,372  
 ADVERTISER  
 S - 432,963

AUL 9 1972

FILM

# Burt Lancaster near 60 - - Honest!

By SIDNEY EDWARDS

(London Express)

LONDON — When Visconti directed Burt Lancaster in *The Leopard* he described him like this: "The most perfectly mysterious man I've ever met."

There was more than an element of mystery involved in meeting Mr. Lancaster this week. No one actually put on a blindfold but I had to meet at a rendezvous, a hotel, about 500 yards away from the house in which he is staying. Then escorted through back streets.

He is anxious to preserve the anonymity of his whereabouts (although if you are out early in Hyde Park you might meet him jogging in a blue track-suit).

The setting is aristocratic: a black Rolls at the door, old paintings on the walls of the beautifully furnished drawing room. One ashtray is crowded with cigarette ends. "I stayed up until 4 a.m. trying to adjust to the time change from New York. I finally got to sleep and I feel much better."

It was mid-morning and he had just got up. He was wearing his track suit and a blue, unshaven chin to match. A housekeeper brings tea and toast. He stretches his hand and

onto the carpet. The frame is large, the shoulders broad. The eyes are bright blue, which you don't quite expect.

He will be 60 next year. I say he looks pretty fit. "You mean for an old man?" he asks smilingly. I say, no, I didn't mean that.

"I have to act my age. No more love scenes in films. I'd look rather silly making love to a 19-year-old girl. It's character parts from now on."

He talks crisply in the deep voice. He is rather cool and serious.

A character part has brought him to London. He plays an aging CIA agent in Michael Winner's film, *Scorpio*. Location shots were done in Washington last week but the scenes ostensibly inside the CIA headquarters will be shot in an office block at Hemel Hempstead.

His co-star is Paul Scofield, who plays a Russian agent. They last worked together on the film *The Train*. Lancaster says he admires Scofield very much. "I'm a movie star. He's a great actor. That's the difference."

at Salzburg from Vienna and to the Olympics."

Then he fixes you with the blue eyes, the whole 6 ft. 2 in. frame looks a shade overbearing and he asks: "Do you have any influence in this town, Mr. Edwards?" I say no, then he says he wants a ticket to hear the Nilsson-Solti performance of *Elektra* at Covent Garden, also Jon Vickers in *Otello*.

He says his one ambition in life had been to be an opera singer. "Ever since I sang in the church choir as a boy. Then the voice broke and I've spent the rest of my life searching for it."

We talk for a while about his early days in New York. "I lived on 106th Street, a wide block—Central Park was five minutes away to play in. I spent most of my time in the library on 110th Street.

"My father worked in the post office. He made 45 dollars a week, a fortune in those days. I wore hand-drawn clothes. It didn't matter. Those things are unimportant.

"As a child I had a part in an advertisement for pills. Three Pills in the Bottle. Three men came to the door and offered me a

THE GUARDIAN  
5 JULY 1972

# Court limits phone taps

By George Conk

The Nixon administration suffered an important setback last week in its ongoing efforts to curtail the democratic rights of the American people.

At issue was nothing less than the 4th Amendment to the U.S. Constitution and the U.S. supreme court, for reasons of its own, rallied to its defense in an 8-0 decision outlawing government wiretapping of "domestic subversives" without obtaining a warrant beforehand.

The Justice Department, under the leadership of Nixon's chief crony, former Attorney General John Mitchell, first disclosed its wiretapping policy in the 1969 pre-trial hearings of the Chicago 8, under indictment for their role in the 1968 demonstrations at the Democratic national convention.

The practice of wiretapping, however, started much earlier. It appears to have begun during the Roosevelt administration in the 1930s, bloomed under Truman's reign, run rampant in the Eisenhower-McCarthy period and continued right to the present.

The rebuke to Nixon's current policy stemmed from the case of "Pun" Plamondon and two other members of the White Panther party, a "cultural revolutionary" youth group centered in Michigan. The court declared the warrantless wiretaps used by the prosecution in the case unconstitutional and ordered the Justice Department to turn over its logs of Plamondon's conversations to his defense attorneys or to drop the charges. (The three activists were charged with dynamiting a CIA office in Ann Arbor, Michigan.)

For its part, the government sought to avoid disclosure and to establish the legality of the taps through an affidavit from Mitchell. The government admitted to the court that the taps were "not an attempt to gather evidence for specific criminal prosecutions," but "an ongoing intelligence gathering" effort against "subversive forces."

## Tapping will go on

According to government statistics, such taps can remain in use for months, many times longer than the usual duration of court-ordered taps. It would also be a mistake to believe that, with the court decision, such taps will stop. They will not. It is only their use as evidence in court that will be curtailed.

In handing down the decision, Nixon appointee Justice Lewis F. Powell, Jr., joined by five others, developed further the Warren court's extension of the 4th Amendment in the area of electronic surveillance. In 1967 the court held that taps and bugs were "searches" and in 1968 required the disclosure of records of such surveillance to its victims.

Former Deputy Attorney General, Justice Byron White, in a separate opinion, found the wiretapping in violation of the 1968 Omnibus Crime Act and did not pass on the 4th Amendment issue.

Justice William O. Douglas, while joining the majority opinion, went significantly beyond it in a concurring opinion. Justice William H. Rehnquist, the right-wing former Deputy Attorney General, took no part in the decision, presumably because of his role in the planning and implementation of the now-rejected policy.

The rebuke to the executive branch was clear. The administration failed to garner a single vote on the court. Powell's position was a striking personal reversal. Before his nomination, he had enthusiastically supported wiretapping, a position which was reprinted widely—including in the FBI's "Law Enforcement Bulletin."

in the 1968 Omnibus Crime Control and Safe Streets Act which disclaimed any congressional intention to "limit the constitutional power of the President to protect the nation against hostile foreign powers or any clear and present danger to the structure or existence of the government."

The Nixon administration seized upon this language as congressional approval of its claim of broad surveillance powers. But the congressional debates, as the Powell opinion makes clear, showed simply a desire to avoid a direct clash with the executive by pushing the decision into the laps of the judiciary.

## Bold claims

The Justice Department was extraordinarily bold in its claims of wiretapping power. Its affidavit alleged no "clear and present danger," no use of force or unlawful means by those being surveilled, no links with "hostile foreign powers," no attempt to overthrow the government, no specific criminal investigations.

It simply spoke of "gathering intelligence deemed necessary to protect the nation from attempts of domestic organizations to attack and subvert the existing structure of government. . . ." A request for carte-blanche surveillance of radicals, at the least.

The prosecution based its claim on the "inherent power" of the President. The Sixth Circuit Court of Appeals found in the government's legal argument "no suggestion of limitations on this power nor any recognition that the sovereign power of this nation is distributed among three branches of government."

The key to this progressive decision—by a court which has been moving steadily to the right when dealing with other basic freedoms—perhaps lies here. The presidential claim of untrammelled power has prompted a convergence of those forces concerned about the waning power of Congress with the judiciary's desire to guard its "integrity."

The supreme court took offense at "the government's argument that internal security matters are too subtle and too complex for judicial evaluation." "Courts regularly deal with the most difficult issues of our society," wrote Powell.

Douglas, noting the threats to popular political freedom posed by police informers, grand juries, the FBI and the military would ban virtually all wiretapping and bugging. He suggested that since a wiretap warrant could not "specifically name the conversations to be seized," any such authorization "would amount to a general warrant, the very abuse condemned by the 4th Amendment."

## Unanswered questions

The court left many questions open. It did not deal with whether the procedures for obtaining a federal wiretapping warrant set forth in the 1968 Act are adequate to the 4th Amendment. U.S. judge Joseph Lord in Philadelphia has recently held them too lax.

It did not express any opinion "with respect to the activities of foreign powers or their agents." The message was not lost on the Justice Department, which has stated it will not disconnect its "foreign security" taps.

Not only are the congressional requirements quite loose, but the "foreign agent" loophole could be a barn door, as history, both recent and not so recent, has demonstrated.

This was the most important victory since the supreme court allowed the publication of the Pentagon Papers, but it is not an area in which many more progressive gains can be expected. The court has not demonstrated in other areas, as the recent restrictions on the freedom to leaflet private shopping areas and the end of the courts' unanimity in school desegregation have made clear.

WASHINGTON CLOSE-UP

## Homage to CIA Drug Fight Ironic

By JUDITH RANDAL

The American Medical Association, which predictably offers few surprises at its annual meeting, achieved the unexpected this year.

As one entered the convention's exhibition hall in San Francisco's Civic Center, one's nostrils were assailed by an odor more appropriate to that city's Haight-Ashbury district — an aroma strongly suggestive of the burning leaves and blossoms of the female *Cannabis sativa* plant.

The scent fired the curiosity of all in the hall who had ever sampled marijuana and drew from the wife of one physician attending the meeting the remark that she had smelled that odor many times in the back of the school bus she drives.

That was only the beginning of the surprise. Following one's nose, one soon came upon a booth housing an exhibit on drug abuse which featured a display about many drugs, including pot, and a device that generated a synthetic smoke that was close to, if not identical with the real thing.

★

There was still more surprise to come in this display, which — it turned out — had won the gold medal in the AMA's coveted Billings Prize competition as one of the outstanding scientific exhibits of the meeting. The exhibitor was no mere doctor or pharmaceutical firm, or even your average, run-of-the-mill science-oriented government bureau. It was that most unlikely of contenders for an AMA award: The Central Intelligence Agency.

Dr. Donald Borcharding of the CIA was on hand to explain the exhibit's origins. Like most agencies, he said, the CIA has an occupational health division whose job it is to promote the well-being of its personnel. When CIA officials at the agency's Langley,

Va., headquarters became worried about pot, LSD, speed, heroin and the like, Borcharding and his colleagues assembled the display.

According to the CIA medic, it was an immediate hit, not only at the Langley "Spook Farm" but also among groups in the community, such as Knights of Columbus lodges and parent-teacher associations. The CIA is thinking about putting together "how-to-do-it" instructions so that other groups can build their own replicas.

★

Granted, the crusade against drug abuse needs all the help it can get. But the trouble with the CIA exhibit is that it does not tell things strictly as they are. For example, it implies that the use of marijuana sets the stage for later use of heroin. This issue is by no means settled and, as a matter of fact, there is a good deal of evidence to suggest that alcohol, rather than marijuana, is the first drug to be abused by most people who subsequently become heroin addicts.

In any case, many experts believe that if there is any connection whatever between pot and heroin, it is their illegal status and that if the former were "decriminalized," its link with the latter would tend to disappear.

More important to this discussion than an argument about the casual relationship of the two drugs is the point that the CIA does not come into the campaign with completely clean hands. Reporters have been hearing for more than a year that the agency has been supporting the heroin traffic in the Golden Triangle region of Laos, Thailand and Burma, and that this opium byproduct has been one of the more important cargoes carried by Air America, an airline operating in Southeast

Asia whose charter business is almost exclusively with the CIA. The Golden Triangle region, incidentally, is said to grow 70 percent of the world's illicit opium from which morphine base, morphine and eventually heroin are derived.

For more details on the CIA's complicity in the heroin mess, one might consult an article entitled "Flowers of Evil" by historian Alfred W. McCoy, in the July issue of Harper's magazine. Part of a forthcoming book called "The Politics of Heroin in Southeast Asia," the article spells out in detail how Vag Pao, long the leader of a CIA secret army in Laos, has become even more deeply involved in the drug traffic and what role this traffic has played in the importation of heroin into the United States and its use by our troops in South Vietnam.

★

Writes McCoy of the situation: "As a result of direct and indirect American involvement, opium production has steadily increased, high-grade heroin production is flourishing and the Golden Triangle's poppy fields have become linked to markets in Europe and the U.S."

The CIA went away from the San Francisco meeting with a gold medal and, no doubt, a good many doctors who saw the exhibit went away impressed. Some of them probably learned for the first time what pot smells like.

But for others there was a bitter incongruity in the government's super-secret spy arm winning a medal for an exhibit on the horrors of drug abuse. To some it was a little like the Mafia getting a top award for a display of the evils of extortion, prostitution and gambling — and a few of the more socially aware physicians present did not hesitate to say so.

STATINTL

tled over the next several months. Nobody has mentioned how much we have wasted on research and development.

The CHAIRMAN. The time of the gentleman from California has expired.

(By unanimous consent, Mr. LEGGETT was allowed to proceed for an additional 5 minutes.)

Mr. LEGGETT. Mr. Chairman, nobody has mentioned how much we have wasted on the full 12 site deployment program, which is clearly banned by the SALT agreement.

I am sure there is nobody in this room who doubts that the SALT Treaty is going to be approved, and also the law which has to be enacted by this House and by the other body respecting the limitation on offensive weapons.

So far as the Safeguard system is concerned, our whole effort in building the program around Malmstrom and Grand Forks was to guarantee that we would have a retaliatory force that would be invulnerable to a first strike by the Soviet Union. So therein lies the reason why we were stampeding ahead to build at this billion dollar rate.

We have to recognize that as a result of the SALT agreements and our ability to monitor from very high altitude there will be no ability on behalf of the Soviet Union to effectively make a first strike. Therefore, we have no reason to protect the Minuteman missile sites.

I believe we should go ahead and perhaps complete them, but why, I say, at this scandalously high rate of acceleration, in view of the fact that we have probably wasted in excess of \$2 billion making this a bargaining chip? We can go ahead to proceed at the \$403 million rate rather than the \$700 million-plus rate and still complete Grand Forks, and study whether or not we need a Minuteman site at what we call the National Command Center, which now is Washington.

I always thought that our National Command Center was in a rock hole at Colorado Springs, but now it is Washington.

I know we have hard sited the Pentagon and hard sited the CIA. I say that if the National Command Center in the White House, why, the President is only there about one-third of the time, and we ought to be spending at least two-thirds of this money at Key Biscayne or at San Clemente.

I do not mean to be facetious, but we are really stampeding ahead trying to meet the Soviet Union because they have the Golosh system around Moscow. I believe the record shows that as the result of the deployment of the mechanical and rather obsolete Golosh system around Moscow, according to some of our experts, including Secretary Laird, Moscow is less secure today than it was before the deployment of the Golosh system.

Now, if we want to make Washington less secure, all we have to do is go ahead and stampede forward and put the 100 ABM sites around the city. That means, instead of just targeting two or three ICBM's for the Capital, we will be targeting about 102 or 103.

My God! I hope that ABM system

works. Otherwise we are really in worse shape, because if we have only a 75-percent effectiveness rate out of it, we have multiplied the missiles that will be knocking out the Capital by several thousand percent. So I think we can really slow down in this program.

The President has said as he signed the SALT agreements that we want to stop the arms race. Secretary Laird has said, let us stop the arms race, but we have to accelerate these other programs and be ready in 5 or 10 years when the 5-year agreement on offensive missiles expires.

I do not think we ought to accelerate under the SALT umbrella. That is the fundamental question that has to be decided by this Congress. I will ask for a record vote on this amendment. I think we have to either take the President at his word that he wants to deescalate the arms race, or else we are going to be spending all our money for these quality accelerations under the terms of the agreement. I think we can well afford to cut out at least \$350 million from this item without degrading our defense one iota, but merely looking forward to not having quite so expensive bargaining chips as we have had in the past.

Mr. ARENDS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to have the attention of the gentleman who just preceded me, the gentleman from California.

I thought you were doing pretty well until you mentioned Bob McNamara. Then you lost me.

Mr. Chairman, as a result of reductions made by SALT, the bill reduces the Safeguard ABM authorization \$582 million below the original request.

The amendment of the gentleman from California would delete an additional \$350 million from the Safeguard program.

The gentleman's amendment would result in eventually raising the cost of the system. The components of the Safeguard's complex system are procured over a period of years but the amendment would cut so deeply that it would interrupt the pipeline and force a reduction in the production process.

The site at Grand Forks, N. Dak., is 90 percent completed. Dr. Kissinger has told us very clearly that this was one of the big incentives in getting the Russians to agree to sign an arms limitation agreement. To fail to complete the deployment now would be sheer folly. It would either mean that eventual completion of the system would be more expensive or it would mean failure to complete the system which would take away the incentive for the Russians to continue further arms negotiations.

Some of the materials on order for Malmstrom, Whiteman, and Warren, the discontinued sites, can be used at the Washington, D.C., site. But the gentleman's amendment would cut so deep that it would prevent continued orderly procurement of materials and probably eventually raise the cost of that site.

I earnestly urge that the amendment be defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. LEGGETT).

Mr. LEGGETT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. LEGGETT. Mr. Chairman, I withdraw my point of order.

The CHAIRMAN. The gentleman from California withdraws his point of order.

#### TELLER VOTE WITH CLERKS

Mr. LEGGETT. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. LEGGETT. Mr. Chairman, I demand tellers with clerks.

Tellers with clerks were ordered; and the Chairman appointed as tellers: Messrs. LEGGETT, ARENDS, PIKE, and BRAY.

The Committee divided, and the tellers reported that there were—ayes 116, noes 258, not voting 58, as follows:

[Roll No. 231]

[Recorded Teller Vote]

#### AYES—116

Abzug	Forsythe	O'Hara
Adams	Fraser	O'Neill
Addabbo	Gaydos	Pike
Anderson,	Glavin	Podell
Calif.	Gibbons	Pryor, Ark.
Ashley	Green, Pa.	Rangel
Aspin	Gude	Rees
Badillo	Halpern	Reid
Barrett	Hanna	Reuss
Begich	Hansen, Wash.	Riegle
Bergland	Harrington	Robison, N.Y.
Blester	Hathaway	Rodino
Bingham	Hechler, W. Va.	Roncallo
Boland	Heinz	Rooney, Pa.
Bolling	Helstoski	Rosenthal
Brademas	Hicks, Wash.	Roush
Burke, Mass.	Hungate	Roy
Burlison, Mo.	Jacobs	Roybal
Burton	Karth	Ryan
Carey, N.Y.	Kastenmeier	St Germain
Carney	Koch	Sarbanes
Geller	Kyros	Selberling
Clay	Leggett	Smith, Iowa
Collins, Ill.	Link	Stanton,
Conte	Long, Md.	James V.
Conyers	Lujan	Stokes
Corman	McCloskey	Symington
Curlin	McCormack	Thompson, N.J.
Dellums	Madden	Udall
Denholm	Matsunaga	Ullman
Diggs	Mazouzi	Van Deerlin
Dingell	Meeds	Vank
Donohue	Metcalfe	Waldie
Dow	Mikva	Whalen
Drinan	Mink	Wolff
Eckhardt	Mitchell	Yates
Edwards, Calif.	Moorhead	Yatron
Eilberg	Nedzi	Zwach
Evans, Colo.	Nix	
Foley	Obey	

#### NOES—258

Abbt	Brown, Mich.	Collins, Tex.
Anderson, Ill.	Brown, Ohio	Colmer
Andrews, Ala.	Broyhill, N.C.	Conable
Andrews,	Broyhill, Va.	Conover
N. Dak.	Buchanan	Cotter
Annunzio	Burleson, Tex.	Coughlin
Archer	Byrne, Pa.	Crane
Arends	Byrnes, Wis.	Daniel, Va.
Ashbrook	Byron	Daniels, N.J.
Aspinall	Cabell	Danielson
Baker	Camp	Davis, W.V.
Belcher	Carlson	de la Garza
Bell	Carter	Delaney
Bennett	Casey, Tex.	Dollenback
Betts	Cederberg	Dennis
Bevill	Chamberlain	Derwinski
Biaggi	Chappell	Devine
Blackburn	Clancy	Dorn
Bow	Clausen,	Downing
Brasco	Don H.	Dulski
Bray	Clawson, Del.	Duncan
Brooks	Cleveland	du Pont
Brotzman	Collier	Dwyer



# GOP's Chief Security Man

## Friends Shocked by His Arrest in Bugging Case

By Ronald Kessler

Washington Post Staff Writer

James W. McCord Jr., the Republican security consultant arrested in the national Democratic headquarters bugging attempt Saturday, had been until two years ago one of the highest-ranking security officials at one of the most security-conscious agencies in the world.

McCord, 53, was described this week by some of his former associates at the Central Intelligence Agency as having been several levels above the chief of physical security for the CIA's massive, white stone headquarters in McLean, with authority at various times over a number of the agency's security functions here and abroad.

McCord's salary level, these associates said, was GS-15 or 16, or \$24,000 to \$35,000 under the government's current salary scales. Such a salary range is considered high in the government security field.

It therefore was not surprising that McCord was hired as chief security man for President Nixon's reelection campaign and as security consultant for the Republican convention. His credentials for the job, after 19 years as a security officer at the CIA and a previous stint as a Federal Bureau of Investigation agent, were impeccable.

But former coworkers, friends, and neighbors all expressed shock that the slightly bald man of medium height and build, whose appearance is said to be far handsomer than a recent picture would indicate, had been involved in the bizarre bugging incident at Democratic headquarters.

Former associates said that McCord had some familiarity with bugging and debugging devices in line with his protective duties at the CIA. But, they said, he had no technical knowledge of or experience with actually bugging and installing them or un-

dertaking the dirty work that is a prerequisite to implanting them without getting caught. He was unknown by a number of professional bugging experts interviewed by a reporter.

In addition, they said there was nothing in his personal life or career to indicate he would ever become involved in anything questionable.

"Usually you can spot fellows who will have trouble in the future," said a former security official who worked with McCord at CIA. "This guy moved up the ranks to higher and higher responsibility. He had good fitness reports; he was not a wheel-dealer, he always made a nice appearance. People had a lot of confidence in him, and he was liked and respected."

Friends and neighbors, as well as coworkers, described him as a sensible, rational and calm individual, congenial and approachable, sensitive to local neighborhood issues in Rockville, and a man who devotes a great deal of time to his children and to civic activities.

McCord, who used the alias Edward Martin when arrested Saturday, had a broad background in the security field at the CIA, including the investigative and research areas, former associates say. But they say his primary concern had been protection of the CIA headquarters at Langley.

Insuring the security of any sensitive building entails duties ranging from assigning guards, checking employee loyalty and security leaks, and policing safes and locks to installing closed-circuit television surveillance systems and conducting sweeps for bugs and wiretaps.

At the CIA, marked to the outside world only by a euphemistic road sign saying Fairbanks Highway Research Station, these duties take on a far more clandestine tone and include planning for possible enemy attacks

and making the woods around the domed CIA building secure.

Despite the spooky nature of the work, much of McCord's time was taken up attending meetings, seeing outside firms selling new security devices and administering the 50 to 100 employees under him, former coworkers say.

James Walter McCord Jr., a native of Texas, where he and his wife, Sarah R., were graduated from Baylor University, has a son, Michael, who attends the U.S. Air Force Academy, and a daughter, Carol Anne, who will be a sophomore next year at Madison College in Harrisonburg, Va.

In addition, the couple has a slightly retarded 14-year-old daughter, and neighbors say McCord spends hours playing with her and helping her to read and write. Associates say he had talked at various times of developing educational materials for retarded children.

The family attends church every Sunday and frequently travels out of town on weekends. Both McCord and Sarah McCord are described as conservative dressers.

McCord served as an FBI radio operator, manning wireless and two-way radios, from 1942 through 1943 and was an FBI special agent from 1948 through 1951. He joined the CIA in that year.

Formerly a Springfield resident, McCord moved in 1967 to Rockville and bought his present house at 7 Windsor Ct. for \$33,000. He and his wife took out a \$25,500 mortgage to help pay for it and later the same year obtained a \$5,000 second mortgage loan from a credit union.

After retiring from the CIA in 1970, McCord entered the security consulting business, and neighbors said his hours became irregular. In the spring of 1971, he rented four rooms as the office for his firm, McCord Associates Inc. at 414 Hun-

gerford Dr., Rockville. He and his wife signed articles of incorporation for the company in November, but the papers weren't filed with the Montgomery County clerk's office until April 14.

The papers said the concern would engage in "business services and . . . make studies, analyses, surveys and reports in connection therewith for business, industry, academic institutions, local, state, federal and foreign governments."

A director of the company with McCord and his wife is Dorothy N. Berry of Houston. McCord's sister-in-law, Late last night she described herself as "heart-sick" over the affair.

McCord was hired as security coordinator for the Nixon campaign Jan. 1 at a take-home salary of \$1,209 a month. He recently traveled to Miami to check out security for the Republican convention, and it was revealed in court yesterday that he rented two apartments in Miami.

Sources in the security business said McCord had traveled to New York in an attempt to drum up business for his firm. His contract with the Republican Party was considered a sure selling point. "People he talked with say he was a hell of a nice guy who did a good selling job," one security expert said.

Although McCord rarely talked politics, one former CIA associate described him as "slightly right of center." He is a lieutenant colonel in the Air Force Reserve.

The CIA, although limiting itself officially to a statement that he retired as a security officer and left in good standing, is known to be anxious to disassociate itself from the controversy surrounding McCord.

Arguing in court yesterday that McCord's bail shouldn't be reduced, Assistant U.S. Attorney Earl J. Silbert portrayed McCord as a ruined man.

"What is he going to face his friends, his neighbors, his church?" Silbert said.

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# High Jinks Around the CIA

By LONDON EXPRESS

Rumours are rampant in Washington that a British film unit has been allowed to wander inside the super-secret headquarters of the Central Intelligence Agency.

It is the first time in all its bizarre history that the agency has thrown open its doors to cameras, and I gather the whole affair caused some angst at high levels in the U.S. intelligence community.

Michael Winner, the normally witty and talkative director who has been in Washington to shoot his new film, "Scorpio," a spy thriller starring Burt Lancaster, Paul Scofield and Alain Delon, is shrinkingly reticent on the subject. He refuses comment of any kind.

Other sources say the film publicity will not mention the extent of the CIA's hospitality, and the full story of this extraordinary episode may not be known for years.

The CIA until now it has managed to preserve a monastic privacy by tight security and a press office which seems to have taken Trappist vows.

Not long ago the CIA wanted to talk Congress into buying them extra land in Langley, Va., so as to make the headquarters even harder for outsiders to approach. Some agents climbed to the top of a nearby hill and took pictures of the director's seventh-floor office using a telephoto lens.

Then they enlarged the original photograph many times. In the final print the grainy and blurred head of the CIA director could just be discerned, working at his desk. They showed it to Congress which quickly agreed to buy the land.

Now this fabulous Vatican of Western intelligence has been breached by a young English film director.

"Scorpio" is a taut suspense drama in which Burt Lancaster plays an American agent suspected of selling

out to the Russians and Alain Delon is a freelance assassin blackmailed by the CIA into trying to murder him. The script reeks of alienation as do many of Winner's films, but it makes no severe moral judgments about the sometimes ruthless methods of American espionage.

"We only show the CIA killing nasty agents," Winner said leaning back in his director's chair and puffing at a \$3 cigar. "Young people in America think the CIA should not exist, but that is naive."

The abundantly talented Winner, who manages to look simultaneously debauched and cherubic, says he found the CIA officials "terribly charming and cheerful and gentlemanly at all times."

"Scorpio" has created the biggest movie sensation in Washington since Otto Preminger ordered senators around during the shooting of "Advise and Consent" nearly 10 years ago.

One congressman, James Wright of Texas, dressed up as a priest and collected \$25 for a day's work as an extra when Winner filmed a sequence at Washington airport. Huge mobs of onlookers assembled in Georgetown to watch Burt Lancaster shoot John Colicos with a gun wrapped in a brown paper bag.

At a roller-skating rink, all sounds drowned by the throb of a mighty Wurlitzer pipe organ, Winner explained that he keeps away from studios wherever possible and takes his cameras among real people in authentic surroundings.

"It's like modern guerrilla warfare," he said. "I go out into the streets and shoot. If I get into trouble in one place, I can move somewhere else. And it saves spending large sums of money on extras. If I need another 10 people I just pull them out of the crowd. Yesterday I pulled out four, found they came from Hampstead and had to put them back again."

The London Express



STATINTL

20 JUN 1972

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# Court Curbs Wiretapping Of Radicals

By John P. MacKenzie  
Washington Post Staff Writer

A unanimous Supreme Court rejected yesterday the Nixon administration's claim that the Executive Branch may wiretap suspected "domestic" radicals without a court warrant.

In a major rebuff to an important administration law enforcement policy, the court held that freedom for private dissent "cannot safely be guaranteed if domestic security surveillances may be conducted solely within the discretion of the Executive Branch."

The blow was delivered by one of President Nixon's own appointees to the court, Lewis F. Powell Jr., writing for himself and five other justices. Concurring separately were Chief Justice Warren E. Burger and Justice Byron R. White.

Beginning in the 1969 prosecution of the "Chicago 8" conspiracy defendants, one of many cases vitally affected by yesterday's decision, the Justice Department asserted that judicial supervision was not required when the President and Attorney General deemed a specific wiretap necessary for protection against subversion from within.

But Powell, despite past public support for wiretapping and a reputation for concern over national security, said the Justice Department had failed to make out a case for "the time tested means" of judicial warrants for safeguarding Fourth Amendment guarantees against unreasonable searches and seizures.

Presidents since Franklin D. Roosevelt have asserted the power to conduct electronic surveillance against suspected foreign agents without permission from a court but it was not until John N. Mitchell became Attorney General that the government claimed similar authority concerning

Emphasizing that the foreign agent problem was not before the high court, Powell said that even the domestic issues pressed by the department "merit the most careful consideration" when urged "on behalf of the President."

"We do not reject them lightly," said Powell, "especially at a time of worldwide ferment and when civil disorders in this country are more prevalent than in the less turbulent periods of our history."

Powell then went on to reject every administration argument, including the contention that internal security matters are "too subtle and complex" for judges.

"There is no reason to believe that federal judges will be insensitive to or uncomprehending of the issues involved in domestic security cases," Powell said, adding:

"If the threat is too subtle or complex for our senior law enforcement officers to convey its significance to a court, one may question whether there is probable cause for surveillance."

Powell denied that there was significant danger of compromising intelligence secrets when government lawyers must go secretly to a court for warrants.

He noted that Congress, in passing wiretapping legislation in 1968, already had imposed a sensitive responsibility on judges by authorizing wiretapping and bugging warrants in espionage, sabotage and treason investigations.

"Although some added burden home-grown radicals are not accused of acting as foreign-supported spies or revolutionaries.

society to protect constitutional values . . . By no means of least importance will be the reassurance of the public generally that indiscriminate wiretapping and bugging of law-abiding citizens cannot occur."

Powell said public uneasiness was justified by the "danger to political dissent" inherent in the vague concept of national security, since "the targets of official surveillance may be those suspected of unorthodoxy in their political beliefs."

He added, "The price of lawful public dissent must not be a dread of subjection to an unchecked surveillance power."

The reassurance stems from the independent judgment of a neutral and detached magistrate who determines whether there is a reasonable basis for the electronic intrusion upon privacy, Powell said.

He indicated that under appropriate guidelines for such warrants, the government might have been able to obtain approval to eavesdrop on Lawrence (Pun) Hammond, a leader of the radical White Panther Party accused of conspiring to blow up a Central Intelligence Agency building at Ann Arbor, Mich.

Lower courts ruled that wiretap records in the case must be turned over for defense inspection to see whether the illegal taps produced part of the prosecution's case. Yesterday's decision forces the government to choose between disclosure to the defense and abandoning the prosecution in the Ann Arbor case, the Chicago case now on appeal, and numerous others.

Powell offered a suggestion that Congress might enact special standards for the warrants, perhaps allowing agents to install listening devices for longer periods than provided in the 1968 law for conventional crime investigations.

He totally rejected the government's argument that Congress had immunized domestic radical taps from the warrant requirements.

Attorney General Richard G. Kleindienst said last night that he is terminating all domestic security wiretaps that

Committee with the courts opinion. He said his staff would work with Congress to seek new warrant standards in line with the court's suggestion.

Joining Powell were Justices William O. Douglas, William J. Brennan Jr., Potter Stewart, Thurgood Marshall and Harry A. Blackmun. Burger noted simply that he concurred "in the result" and White based his concurrence on language in the 1963 act.

Justice William H. Rehnquist, who helped shape the government's arguments as a Justice official last year, did not participate.

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## Milton Berliner

Michael Winner, who spent several weeks scouting locations here for his latest film, "Scorpio," pronounced Washington the "most beautiful city in America." He dismissed San Francisco, which usually gets the nod, with a wave of the hand.

"If you love trees, and I love trees, this is the place," he said, looking out of the picture window of his huge Watergate Hotel suite at Virginia shore greenery across the Potomac.

He said that half of "Scorpio," an international spy movie, is set in Washington (a 10-day shooting schedule began last Saturday) and the other half in London, Vienna and Paris. Burt Lancaster, Paul Scofield, Alain Delon are in it as well as John Colicos and Gayle Hunnicutt. All except Delon will be working here.

"The film," he said, "will show the Washington that's lived in, not just what the tourists see. We'll be shooting here in 10 or 12 residential areas from rich to poor, a couple of supermarkets, a tremendous skating rink, a cemetery and at some monuments, but I'm not concentrating on them. Also a gymnasium in a black area, Union Station, the Greyhound bus station and Ost in Georgetown. I am amazed that the Georgetown area has not been used to any extent in movies. It's quite marvelous. We have a scene in which someone is killed there."

Winner said that he has had an office here for 16 weeks rounding up all the necessary permits.

"I've been very struck," he said, "with how helpful not only the police have been but all government authorities as well."

"I spent yesterday (Thursday) seeing a lot of people. We expect to use 300 or 400 in the film. One or two are kind of semi-local actors who will have lines."

Only problem so far, he said, was getting enough planes for scenes at National and Dulles airports (he left after Transp '72).

"There aren't too many planes available during the daytime but that's been worked out," Winner said.

A few of the Washington interiors in "Scorpio" will actually be done in London, the major one being the recreation of the Central Intelligence Agency headquarters in Langley, Va.

"We've taken an enormous building in the Greenbelt area


just outside London," Winner said. "It matches the CIA better than any building we found in Washington. We will also be shooting a Washington scene in a modern London apartment house. I regret to say those buildings are the same the world over."

Winner, who will discuss his film "The Joker" after a showing at the American Film Institute Theater next Sunday evening, said he was a little surprised at the excellent box office response in this country to "Chatow's Land" which he also directed.

"We knew it would do well abroad because Charlie Bronson is an enormous star there," he said. "But in Washington where it opened first (at RKO Keith's) it did terrifically well. It says 'A Michael Winner film' but I know I'm not a draw nor is co-star Jack Palance so it must be Bronson."

"The funny thing here is that this was Charlie Bronson's first picture all made in English, and he has only 10 lines in it. And all except seven words are in Apache. All he says in English is: 'Stand back, lawman' and 'The Mexican is good.'"

"In England and Europe 'Chatow' got an X rating, but here they wanted a PG so we took a hell of a lot out of it. For example, where Chatow's wife is raped we originally shot her naked and she was naked when tied to the stake. Of course, an X in England doesn't carry the pornographic stigma it does here. An X film in England is frequently one of some intelligence but a bit strong. In England, you can be refused even an X, shown at all."



## Michael Winner

Winner has another Bronson film coming out after Christmas — "The Mechanic." It's about the Mafia as is a film Bronson has just completed in Rome, "The Valachi Papers."

"The Mafia seems to be in these days," Winner said.

"But I think 'The Mechanic' is different because you never see the whole family. It's Mafia, all right, but it deals with only one employee who trains himself to a pitch to be the very best killer in the business. But as the film begins he has trained himself to such a point that he is beginning to crack up but continues to take assignments."

## 3 Marines Sentenced in CIA Entry

By THOMAS LOVE  
Star Staff Writer

Three young Marines stationed in Arlington will have to be a little more careful in the future what they do for excitement while they are drinking. If they aren't, they could end up in jail.

The three were arrested early the morning of May 6 after they entered the super-secret Central Intelligence Agency complex in McLean by climbing over two fences — one 8 feet high and topped with barbed wire.

In court yesterday on charges of trespassing, Charles Stephen Huff, 21, told Fairfax County Court Judge J. Mason Grove that he and his two companions meant no harm but were just "intrigued by the glamor" of breaking into the CIA grounds.

Larry Peter Kreps, 21, testified that the three had been drinking and had "no destructive intent." Perry Wayne Weatherly, 22, said they left the house where they had been drinking while watching a basketball game on television and drove down the George Washington Memorial Parkway.

WHEN THEY SAW the fences surrounding the CIA grounds, they climbed over them in the name of "adventure," he said. He insisted that they had had no intent to destroy anything.

Grove took a dim view of the whole affair, telling the Marines that their escapade was "not a Halloween prank" but "serious and in bad judgment."

After telling them "this is what happens when you start drinking," he fined them \$100 each and sentenced them to 10 days but suspended the jail term as long as they stayed on good behavior.

The three were found on the CIA grounds between 2 and 3 a.m. near a large electric transformer which not only serves the spy installation but much of McLean as well.

SECURITY GUARDS had seen the Marine's car parked near the installation and called on Fairfax County police to help search the grounds. The Marines were arrested about 45 minutes later.

In a letter to the chairman of the county supervisors, CIA Director Richard Helms thanked the police for their assistance and said "although the case is still under investigation, a review of the facts available to us does not rule out the possibility of sabotage."

21 MAY 1972

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# Three Marines Seized On Grounds of CIA

By MICHAEL SATCHELL  
Star Staff Writer

Three Marine Corps corporals have been charged with trespassing after breaking into the Central Intelligence Agency compound in Langley and getting to within 500 feet of the power plant.

Some authorities say they think the Marines entered the highly guarded spy headquarters on a dare. But Richard Helms, CIA director, said he did not rule out the possibility of a sabotage attempt.

The incident occurred between 2 a.m. and 3 a.m. on May 6. Security guards spotted a car parked on Georgetown Pike near the CIA headquarters and requested assistance from Fairfax County police.

After a search of approximately 45 minutes, according to a police sergeant who participated, the Marines were found and arrested.

FAIRFAX POLICE identified the three arrested as Larry Peter Kreps, 21, Charles Stephen Huff, 24, and Terry Wayne Weatherly, 22.

In a letter to Dr. William S.

Hoofnagle, chairman of the Fairfax Board of Supervisors, CIA boss Helms wrote in part:

"I have been informed of an incident which occurred early in the morning on 6 May 1972 and involved unauthorized physical penetration of this agency's headquarter compound. Although the case is still under investigation, a review of the facts available to us now does not rule out the possibility of sabotage."

The letter goes on to thank members of the Fairfax police department for their assistance.

An officer who participated in the search said the Marines were carrying a flashlight and a pair of pliers. They had scaled a four-foot outer fence and then had climbed the main perimeter fence, which is eight feet high and tipped with barbed wire. They were climbing a third inner fence guarding the power plant when they were captured, the officer said.

ASKED HOW three men would have penetrated so far into the compound and re-

mained undiscovered for nearly an hour without being spotted by security guards, a CIA spokesman said yesterday the intrusion was not regarded as a major breach of security.

"The whole thing was minor," said the spokesman. "Nothing happened."

The Marines were taken by Fairfax police to the McLean substation and charged with trespassing on federal property, a state offense. They were released on \$1,000 bond each, police said. The men were questioned at length by federal authorities but no federal charges have been filed.

A Marine Corps public information officer said the men were members of A Company attached to battalion headquarters at Henderson Hall in Arlington.

"They have been returned to a normal work routine and they are under no restraint," the officer said. "It is a civil matter at this point and no Marine Corps action is anticipated until after the civil action is completed."

Weatherly was reached by telephone yesterday but refused to discuss the incident.

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## Prof. Predicts Blow to Nixon Theme

# 'No' Ruling on Wiretaps?

By MIKE WAGONER  
State Journal Writer

The Nixon Administration's law and order theme will suffer a serious blow later this spring when the U.S. Supreme Court rules that wiretapping without a warrant is illegal, predicts Dr. Harold J. Spaeth, Michigan State University professor of political science.

Spaeth, who guesses the high court decisions with the help of a computer, said justices will cite the 4th Amendment to the Constitution prohibiting unreasonable searches and seizures predicted 5-to-3 opinion against government wiretapping.

THE MSU professor has

been predicting Supreme Court decisions for the past two years. His track record is nearly 92 per cent accurate. Spaeth says the "warrantless wiretapping" case will be one of the last major decisions before the court's term ends in June.

Cases regarding school bus-ing and alleged racial discrimination by private clubs will not be considered until this fall, Spaeth said.

The wiretap case concerns three members of the White Panther Party who are accused of conspiring to bomb a Central Intelligence Agency recruiting office in 1968.

THE SPECIFIC issue is

whether or not the Justice Department may electronically eavesdrop any domestic group or organization that it believes to be a danger to national security," Spaeth said.

Government officials argue that electronic surveillance is a permissible government tool in the area of counter-intelligence activities, he said.

"Hence, the President may authorize such surveillance without a court-authorized warrant . . .", Spaeth said the government argues.

THE ADMINISTRATION has much at stake. Law and order has been a major theme, and wiretapping is an integral

part of these policies," he added.

Spaeth said he expects Justices William J. Brennan, William O. Douglas and Thurgood Marshall to continue their previous pattern of voting against wiretapping.

On the other hand Chief Justice Warren E. Burger and Justices Lewis F. Powell and Harry A. Blackmun will vote for wiretapping, he predicts.

JUSTICE WILLIAM Rehnquist, who helped prepare the government's case, has disqualified himself.

"The outcome, then, will turn on the votes of Justices Potter Stewart and Byron R. White, Spaeth said.

## Is Freedom Inalienable?

If not, it will be alienated, and ultimately destroyed. That is the paramount issue of the Victor Marchetti censorship case. [See Marchetti's "The CIA: The President's Loyal Tool"; *The Nation*, April 3.]

Marchetti, now 42, graduated from Pennsylvania State University in 1955 with a degree in Russian studies and history. He was recruited for the CIA by a professor, who, interestingly enough, was secretly on the agency's payroll as a talent scout. In time, Marchetti was promoted to the CIA executive staff and served finally as executive assistant to Adm. Rufus L. Taylor, deputy director from 1966 to 1969. Marchetti was with the agency for fourteen years, resigning in the same year as did Admiral Taylor. Obviously, Marchetti knows a lot about the CIA—that is part of the trouble.

He was well thought of by his colleagues. Richard Helms, CIA director, presented him with an autographed picture inscribed, "To Vic—With appreciation for his support." But the longer Marchetti served the CIA the less he appreciated it and its work. Among his reasons for leaving he cites "the clandestine attitude, the amorality of it all, the cold-war mentality—these kinds of things made me feel that the agency was really out of step with the times." And: "It's one of my strong beliefs that the CIA has to be more tightly overviewed by Congress. As it is now, the agency operates almost exclusively under the authority of the President." Thus the CIA is one of the factors in the subordination of the legislative branch to the executive. For that matter, once it is let loose on a project, the agency is subordinate to the executive itself only in a very loose sense. As everyone now knows, it is carrying on a war in Laos at a cost of roughly \$500 million a year, using tribesmen as mercenaries and running its own airlines, etc. In the Kansas City area it maintains an arsenal, with a "huge inventory" of weapons for its foreign operations; it has bases for training and other purposes elsewhere in the United States.

The Marchetti case assumes constitutional importance because Mr. Marchetti, when he joined the CIA, signed the usual agreement not to write or talk about the agency's activities even after he left it. Marchetti came to the attention of *The Nation* when he wrote a spy novel, *The Rope Dancer*, which had apparent reference to the CIA. Since this was in fictional form it does not appear to have agitated the CIA management; nor did *The Nation* article which, together with some interviews Marchetti gave to newspapers, was read by Admiral Taylor, who had some reservations about accuracy but concluded that there was nothing damaging in any of the material. But when Marchetti contracted with Alfred A. Knopf to write a non-fiction book about the CIA, the government got into action. Although Marchetti is willing to have the CIA review the book for classified material, the government went before U.S. District Judge Albert V. Bryan, Jr. in Alexandria, Va., and obtained a temporary restraining order prohibiting Marchetti from writing the book for Knopf—a book of which he has not yet set down a single line. The American Civil Liberties Union is trying to get the restraining order dissolved.

ernment is whether a U.S. citizen can agree to waive his freedom of conscience, of thought, of moral sentiment in the manner prescribed by the CIA. The case dramatizes the fact that the CIA is essentially an alien institution—alien to American custom, alien to the Constitution, and incompatible with both the forms and the spirit of democracy. In our view, Marchetti not only has the right but the moral obligation to write his book, just as it was his moral obligation to write the article commissioned by *The Nation*.

A ruling to that effect by the federal courts would not impose an unreasonable limitation on the proper and lawful activities of the CIA, or any other agency. It can set up rules, office policies, and normal administrative means of enforcement, but it cannot compel a former employee to waive his freedom to say or write what he sees fit, once his employment is terminated. If an agency of the government deems something that has been published to be in violation of law, it may proceed against the author and publisher, but pre-censorship is repugnant to American institutions.

STATINTL

14 May 1972

10,000 Calls by Revolutionaries  
STATINT  
03/04 : CIA-RDP80-01601R000

# Plan to Snarl Phones Bared

By GORDON D. HALL

(Gordon D. Hall, now in his 26th year of extremist watching, is a regular contributor to the Sunday Herald Traveler)

Starting tomorrow, the spring offensive of the revolutionary Left, thus far a sputtering combination of aimless rhetoric and sporadic violence, will turn to anonymous telephone harassment of local business firms, military installations, and agencies of the federal government.

High on the list of targets are General Electric, Raytheon Company, Polaroid Corporation, and the Boston offices of the Central Intelligence Agency and the Air Force.

The new campaign is known as "Dial for Peace," recently organized in secret by a coalition of revolutionary and pacifist groups.

Trial runs were made at a few plants this past week to test the "practicability" of flooding company switchboards with hostile calls, but the major effort will begin tomorrow morning.

General Electric's Defense Program Division in Lexington is the first big target.

It is hoped that 1000 revolutionaries and their sympathizers will make 10 calls each, the assumption being that 10,000 calls are more than enough to immobilize even the largest corporation.

Callers are being asked either to say "Stop the war," before dialing again to repeat the message, or to ask to speak to plant executives. Ultimately "bottling them up" in extended verbal harassment over the president's escalation of the air war in Indochina.

On Tuesday, the missile systems divisions of the Raytheon Company's Bedford division will be the target.

TO INSURE telephone saturation at the Bedford plant, the "Dial for Peace" organizers have plucked its number from more than a dozen Raytheon telephone listings, and have circulated it in printed form throughout the greater Boston area.

Wednesday's offensive will be directed at the Boston office of the Central Intelligence Agency.

No explanation has been offered for listing the agency's Boston office number which is buried midst hundreds of government listings in the telephone directory.

A more accessible, though different CIA number can be found among the C's in the same directory.

On April 14, the phone calls will be aimed

at the headquarters offices of the U.S. Air Force on Summer street, Boston.

The telephone campaign will end Friday, following all day harassment of Polaroid's main switchboard in Cambridge.

Because of possible legal ramifications, no one group is claiming credit for the organization of "Dial for Peace."

THE MAJOR revolutionary and pacifist groups in Boston and Cambridge readily admit their "familiarity" with the week-long campaign, but are unwilling to say much beyond believing the idea to be a good one.

At the Greater Boston Peace Action Coalition's (GBPAC) Cambridge headquarters last Friday, spokesmen disclaimed origination of the idea to utilize telephone harassment as a feature of the continuing spring offensive, but thought the idea "effective."

GBPAC, a spearhead of this year's spring offensive along with the revolutionary People's Coalition For Peace And Justice (PCPJ), believes the latter group to be the sponsor of the printed instructions outlining the telephone campaign.

Those instructions were widely distributed throughout Boston and Cambridge on Friday.

Printed on vari-colored letter size handbills, the instructions included by name and number, all five daily targets.

Anonymous, the handbills specified that "1,000 people" place 10 calls each, the "10,000" total adding up to a kind of "do-it-yourself" campaign certain "to stop business for a day."

THE HANDBILL'S final line read: "If they won't stop the war, we'll stop them."

At PCPJ's Brookline street, Cambridge headquarters, however, denials were issued Friday that they had put the telephone instructions in circulation.

Like GBPAC, PCPJ spokesmen thought the telephone campaign to be worthwhile, but believed it probably originated at the Cambridge offices of the Quaker American Friends Service Committee (AFSC).

The Friends didn't seem to mind that PCPJ was dropping a hot and possibly illegal potato in their laps, but a woman answering to the name of "Rachel" neither denied nor confirmed that the printed instructions had been run off at their Inman street headquarters offices.

She said she knew all about the telephone instructions and seemed to think that copies were available in AFSC's "peace section," off of City Hall street, the weekend.

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continued

STATINTL

## Albany students vote peace strike

Special to the Daily World

ALBANY, April 20—Students at State University at Albany will strike Friday in protest against the escalation of the war and march through the city streets to demonstrate before the Federal building here. The building houses the local offices of the FBI, CIA and draft boards.

The decision to strike was made last night at an enthusiastic meeting of 1,000 students at the campus ballroom. The rally was addressed by Ms. Florynce Kennedy, Black activist attorney.

Last night's rally also stressed the link between the peace fight and political action. A busload of Albany students will go to Massachusetts this weekend to help Sen. George McGovern, leading anti-war candidate, in the April 25 primary, it was announced from the platform.

A group of Quakers will demonstrate next Wednesday before the General Electric plant in Schenectady, a big war materiel producer, it was also announced.



Bill Anderson

## One Thing About CIA—It's Free

WASHINGTON, April 13—In an effort to cheer taxpayers just before the income tax filing deadline, I have made an exhaustive study of the 1,103 page federal budget book searching for bargains.

On page 860 there is a real winner. It is the Central Intelligence Agency. According to the auditors, the CIA is not costing the taxpayers one red cent this year. In 1971, yes, it cost \$2 million for a new building. But today, nothing.

This is amazing, especially when one considers all of the accounts of how the CIA is running airlines in South America, financing armies in Cambodia, and digging all of those tunnels under the Berlin Wall.

According to some accounts, the CIA is at least as large as the State Department, and over there in Foggy Bottom the administrative cost is roughly \$250 million, depending upon how Sen. William Fulbright [D., Ark.] feels at any given moment.

Of course, the CIA is located in the low rent district of Virginia in the hills and valleys near the Potomac River. But even so, nothing is not very much to pay for even that kind of land and all of the people walking around on it.

And, there are a lot of people working in those buildings, according to my as-

sociate, Hit Henderson, who slipped in there the other day with the cleaning women on a No. 56 bus. Henderson reported that he saw several hundred cars in the free parking lots accorded to the spies and assistant spies.

In addition, several hundred other persons were coming to work on the second shift as the day-time crowd rushed home with their attache cases.

Henderson slipped in under the guise of a nursery worker [trees, not babies] and also reported back that the CIA's formal gardens were nicely landscaped, the furniture in the headquarters building was new and modern, and there were deep-piled rugs on some of the executive wing floors.

He mentioned that the sign-in sheet for visitors must have cost at least \$100, namely because it was on a swivel and made several copies. On the way out, Henderson noted that his stashed car, waiting in the visitors parking lot, was blocked by other visitors.

Oh, yes, the murals on the walls were modern art, altho Henderson himself prefers the classics. He could not estimate a cost, if there was one.

In a further effort to find out how the CIA operated on a no-cost basis, I personally got in touch [the method must remain secret] with Col. C. Gordon

Furbish [ret.], one of the most knowledgeable persons in the metropolitan area of Washington. [Furbish is the creator of the saying, "Remember, no matter where you go, there you are."]

"I am not at liberty to discuss the financial operations of the CIA," Furbish said for the record. "However, I can tell you on a not-for-attribution basis that they snitch money out of the rest of the federal budget with special code designations."

The colonel confided that the code word for the CIA in the rest of the budget was listed under "things." Sure enough, he was right. It's even on the White House budget, put down as "transportation for things—\$1,000." In the Department of Agriculture, "transportation of things" was recorded at \$63,000. In the Rural Electrification Administration, "things" cost \$38,000. Even the sub budgets listed "things."

And there you are, another Anderson expose: The CIA's money comes from "things." And if readers think they are being bearded, the whole "thing," for CIA and everybody else, the entire federal budget, adds up to roughly \$256 billion this year. So, tonight, if you get indigestion while filling out income tax returns, take a couple of pills. You can tell your wife "I can't believe that I paid for the whole thing."



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# CIA: THE PRESIDENT'S

**VICTOR MARCHETTI**

*Mr. Marchetti was on the director's staff of the CIA when he resigned from the agency two years ago. Since then, his novel The Rope-Dancer has been published by Grosset & Dunlap; he is now working on a book-length critical analysis of the CIA.*

The Central Intelligence Agency's role in U.S. foreign affairs is, like the organization itself, clouded by secrecy and confused by misconceptions, many of them deliberately promoted by the CIA with the cooperation of the news media. Thus to understand the covert mission of this agency and to estimate its value to the political leadership, one must brush myths aside and penetrate to the sources and circumstances from which the agency draws its authority and support. The CIA is no accidental, romantic aberration; it is exactly what those who govern the country intend it to be—the clandestine mechanism whereby the executive branch influences the internal affairs of other nations.

In conducting such operations, particularly those that are inherently risky, the CIA acts at the direction and with the approval of the President or his Special Assistant for National Security Affairs. Before initiating action in the field, the agency almost invariably establishes that its operational plans accord with the aims of the administration and, when possible, the sympathies of Congressional leaders. (Sometimes the endorsement or assistance of influential individuals and institutions outside government is also sought.) CIA directors have been remarkably well aware of the dangers they court, both personally and for the agency, by not gaining specific official sanction for their covert operations. They are, accordingly, often more careful than are administrators in other areas of the bureaucracy to inform the White House of their activities and to seek Presidential blessing. To take the blame publicly for an occasional operational blunder is a small price to pay in return for the protection of the Chief Executive and the men who control the Congress.

The U-2 incident of 1960 was viewed by many as an outrageous blunder by the CIA, wrecking the Eisenhower-Khrushchev summit conference in Paris and setting U.S.-Soviet relations back several years. Within the inner circles of the administration, however, the shoot-down was shrugged off as just one of those things that happen in the chancy business of intelligence. After attempts to deny responsibility for the action had failed, the President openly defended and even praised the work of the CIA, although for obvious political reasons he avoided noting that he had authorized the disastrous flight. The U-2 program against the USSR was canceled, but work on its follow-on system, the A-11 (now the SR-71,) was speeded up. Only the launching of the reconnaissance satellites put an end to espionage against the Soviet Union by manned aircraft. The A-11 development program was completed, nevertheless, on the premise that it, as well as the U-2, might be useful elsewhere.

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When the Nation exposed the CIA in 1967, the agency's labor and cultural funding conduits, not tried to restrict the Senator Fulbright's control over the CIA. He was simply told by the CIA and get on with its business. He was informed to look into the Secretary of State, the CIA. Some of the CIA. Some because they had been longer thought worth

continued under improved cover. A few of the larger operations went on under almost open CIA sponsorship, Radio Free Europe, Radio Liberty and Air America being examples. And all the while, the CIA was conducting a \$500 million-a-year private war in Laos and pacification/assassination programs in Vietnam.

The reorganization of the U.S. intelligence community late last year in no way altered the CIA's mission as the clandestine action arm of American foreign policy. Most of the few changes are intended to improve the financial management of the community, especially in the military intelligence services where growth and the technical costs of collecting information are almost out of control. Other alterations are designed to improve the meshing of the community's product with national security planning and to provide the White House with greater control over operations policy. However, none of that implies a reduction of the CIA's role in covert foreign policy action. In fact, the extensive review conducted by the White House staff in preparation for the reorganization drew heavily on advice provided by the CIA and that given by former agency officials through such go-betweens as the influential Council on Foreign Relations. Earlier in the Nixon Administration, the Council had responded to a similar request by recommending that in the future the CIA should concentrate its covert pressure tactics on Latin American, African and Asian targets, using more foreign nationals as agents and relying more on private U.S. corporations and other institutions as covers. Nothing was said about reduc-

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## U.S. Force on Taiwan Is Said to Number 8,000

By RICHARD HALLORAN  
Special to The New York Times

WASHINGTON, Feb. 27 — American forces on Taiwan, reported to number 8,000 to 9,000, are there to help defend the Chinese Nationalist refuge and they also support American troops in Vietnam.

About half the men are stationed at the Ching Chuan Kang air base in the center of the island near the provincial capital of Taichung, where there are sizable repair facilities. Transports often stop there on the way to Vietnam from Okinawa.

American defense responsibilities under a 1954 treaty are exercised by the Taiwan Defense Command, headed by Vice Adm. Walter Baumberger. The command has only a few hundred men but could be enlarged if hostilities broke out.

### Air Force Headquarters

The 13th Air Force has a forward headquarters on Taiwan that is a detachment from its main headquarters at Clark Air Force Base in the Philippines. It too has a small number of men and only a few Phantom jet fighters.

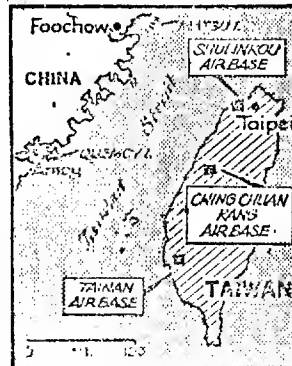
There have been reports that the United States has deployed nuclear weapons on Taiwan but they have been denied by authoritative sources here and in Asia.

The American military advisory group on Taiwan numbers about 300 men. They help train the Nationalist forces and supervise their supply of American military equipment and weapons.

A contingent of about 1,000 men maintains equipment, runs post exchanges and performs administrative functions.

The Central Intelligence Agency and Air America, a private airline whose only customer is the C.I.A., have installations on Taiwan. United States Government agencies also have extensive radio facilities to transmit to mainland China and to monitor broadcasts.

As President Nixon has reduced the number of American troops in Vietnam, American bases on Taiwan have become less necessary to support that



The New York Times/Feb. 23, 1972

operation. That presumably will continue to be true as the United States withdraws from Vietnam but the bases may have some use in logistic support of South Vietnamese forces.

### History of Defense

When the Chinese Communists came to power on the mainland in 1949, President Truman said that the United States would not become involved in any conflict over the island, to which Generalissimo Chiang Kai-shek and his followers had fled.

But when the Chinese Communists entered the Korean war toward the end of 1950, Mr. Truman affirmed American support for the nationalists and began military assistance to Taiwan. President Eisenhower increased military aid.

The 1954 mutual defense treaty defined Nationalist Chinese territory as Taiwan and the Pescadore Islands in the Formosa Strait. American territory to be defended in any attack was defined as "the island territories in the West Pacific under its jurisdiction."

In 1955, the Senate adopted the Formosa Resolution, which was intended to give the President a free hand in committing American forces to the defense of Taiwan. An effort in the Senate last year to repeal the resolution failed.

The Seventh Fleet, which had gradually reduced its forces in the Formosa Strait, ceased patrolling that area about two years ago.

17 FEB 1972

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## THE ROAD TO PEKING

STATINTL

# Nixon's role in the triumph of Chou

By STAN CARTER

NEWS Diplomatic Correspondent

Fifth of a series

ONE of the eight black-bound loose-leaf volumes that President Nixon studied in preparation for his journey to Peking contained a top secret analysis by the Central Intelligence Agency of the strange and still only partially explained events in China last fall—and the effect that the internal power struggle they revealed may have on his summit talks with the surviving Communist leaders.

What went on in China in mid-September is still shrouded in mystery. Communist cadres in the provinces have been told that Defense Minister Lin Piao—until then the regime's no. 2 man—was involved in a conspiracy to assassinate party Chairman Mao Tse-tung and that when the plot failed, Lin and his cohorts were killed in a plane crash in Mongolia while trying to flee to the Soviet Union.

A British-built Trident jetliner, one of four purchased by China from Pakistan and used exclusively by high-ranking Chinese officers, did indeed crash in Mongolia, 100 miles beyond the Chinese border, on the night of Sept. 12. But American analysts doubt that Lin was among the seven men and two women whose bodies were recovered from the airplane, burned beyond recognition.

But it is clear that the power struggle has ended—at least for the time being—and that a moderate faction led by Premier Chou En-lai triumphed over a radical faction led by Lin Piao. Lin and hundreds of his followers have been purged, but are thought to be still alive.

Whatever the reasons for the purge, the timing for it seems to have been sparked by Chou's invitation to Nixon to visit the People's Republic of China.

### Quarrel over resources

Despite the high classification of the agency's sources, its conclusions are probably similar to those of analysts from other government agencies and from experts outside the government.

For example, Rand Corp. Sinologist William W. Whitson has come up with a theory fitting the known facts. It suggests that the power struggle was the culmination of a debate within the Chinese hierarchy over allocation of resources to China's nuclear weapons program—and that Chou's victory over Lin will make China less of a threat to U.S. allies in Asia in the immediate future than it has been considered in the past.

Whitson, a military specialist, is one of those China experts who does research for the government and also maintains ties with the academic community. His new book, "The Chinese High Command, 1927-1971—a History of Communist Military Politics," will be published this spring.

According to Whitson, Lin Piao vigorously opposed last year's decision by Chou—with Mao's concurrence—to reduce tensions with the United States.

The reason was that Lin and his supporters in the Air Force and Navy needed the supposed American threat to justify development of bigger and bigger nuclear weapons and long-range missiles to deliver them.

The cost of China's nuclear and missile programs are 2% of the still underdeveloped country's total national product—so high that Whitson argues that "some people across the river (a euphemism in Washington for CIA headquarters in Langley, Va.) say that we ought to encourage them to keep at it, because it will make them go bankrupt."

### Challenge to Lin

Whitson's contention is that Chou En-lai, in contrast to Lin, recognized that the real threat to China was from Russia—which had massed one million troops on China's northern border and threatened a "surgical strike" against Chinese nuclear installations—instead of from the United States, which the premier could see was in fact withdrawing from Southeast Asia.

To cope with the Soviet threat, China needed tactical nuclear weapons as well as more modern conventional armament—not necessarily long-range ICBMs. Therefore, it is Whitson's belief that Chou wanted to slow down the costly advanced weapons program and thus welcomed Nixon's overtures to end the 23-year-old confrontation between the United States and China.

But the invitation to Nixon presented a challenge to Lin and the generals associated with past strategic planning. Whitson puts it this way:

"To many of the senior officers of the second military generation, probably including Lin Piao, Wu Fa-hsien, Li Tso-p'eng and Huang Yung-sheng, the historical image of the United States as the principal adversary most heavily armed with nuclear weapons targeted against China must have been the cornerstone of their premises for strategic planning and weapons development.

"President Nixon's visit to China could not have been a welcome shift in the image that had presumably guided their strategic thinking for 20 years."

### Smaller bangs

Since the mid-1960s, China has exploded 13 nuclear devices, including three hydrogen bombs with yields of three megatons each, in 1968, 1969 and 1970. But the last two tests, in November, 1971 and January of this year, were of smaller devices with yields of 20 kilotons or less—the size of the Hiroshima A-bomb.

According to the U.S. Atomic Energy Commission, the latest two tests could either have been of triggers for larger thermonuclear weapons or of prototypes of comparatively small, tactical nuclear warheads. If they were the latter, it would tend to confirm Whitson's theory that Chou, after defeating Lin, has shifted priorities to concentrate on medium and intermediate range missiles instead of a costly intercontinental missile arsenal.

"Such an emphasis would provide an immediate deterrent against the Soviet Union," Whitson says. "It would also promise the greatest intercontinental utility once an appropriate submarine or two had been built."

If Whitson is right, this will be disconcerting to U.S. military planners, who have advocated construction of an antiballistic missile defense system for protection of the United States against Chinese ICBMs expected to be operational as early as 1975, as much as against the nuclear-tipped Soviet intercontinental rockets already in their underground silos.

Secretary of Defense Melvin Laird acknowledged to Congress this week that "it is difficult to see how the strategic nuclear threat posed by the People's Republic of China, or how that threat will evolve through the 1970s." But Laird said the

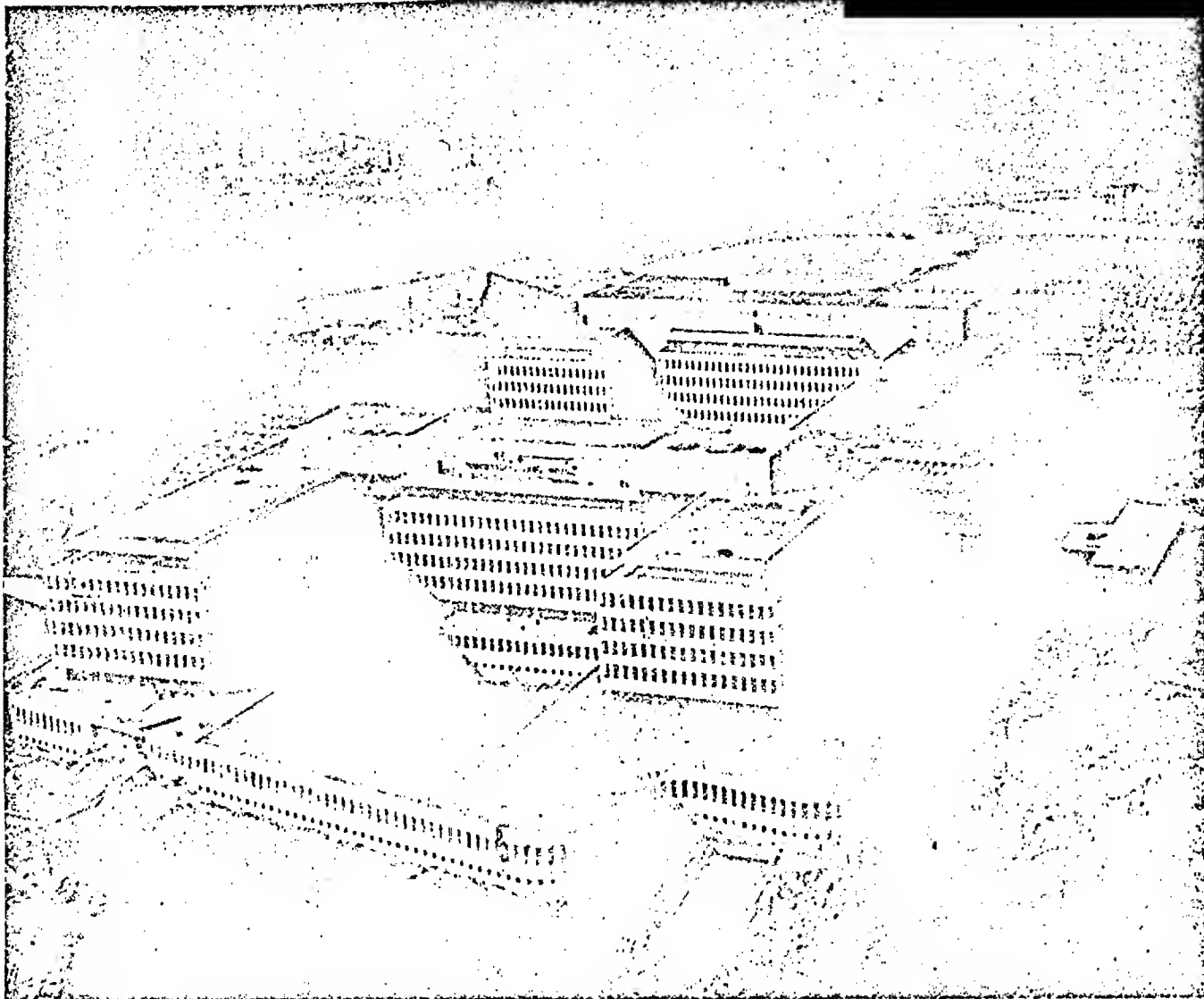
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CIA Headquarters in Virginia

## Back yard CIA

The Central Intelligence Agency always insists its men aren't involved in domestic police work. But in Chicago CIA agents have been working with the FBI and Treasury men in an effort to pin the bank bombings on radical groups.

Heretofore, clandestine CIA police work within the US was centered around counter espionage efforts aimed at the

Soviet KGB. CIA maintains secret bases in all major US cities. The agency also has training camps in Virginia and the Carolinas. These are masked as regular military bases. Spooks are trained for duty at Williamsburg, Va.

Two years ago CIA employees were surprised when members of the local police force received blue ribbon treatment at Langley, Va., headquarters

They met there with Helms, were shown around, and taken to the secret training camps. That was the beginning of rumors within the agency that the CIA had been given the go ahead to move into domestic police operations. While everyone denied it, the theory was that the CIA was told to get the radicals.

Two recent personnel changes increased speculation. One involved resignation of Helm's special assistant, Robert Kiley. Kiley handled the student operations through National Student Association facades. He recently turned up as associate director of the Police Foundation, a new group launched with a \$30 million Ford Foundation grant. The money is meant to be used to improve local police. The second personnel shift involved Drexel Godfrey, who was head of the CIA's Office of Current Intelligence. He quit this high ranking job, turned up in the narcotics bureau of the Justice Commission at Harrisburg.

The commission is another new group which aims to help improve local

police. Both personnel shifts are cited by agency people to bolstering fronts in the US, this time, moving into was given a new title recently, making him head of all intelligence and presumably providing him with a legitimate interest in internal police operations. But such suggestions are bitterly denied all around.



JAN 28 1972

## CIA: Spies Or Just Data Men?

STATINTL

By WILLIAM KEZZIAH

What is the real Central Intelligence Agency (CIA)?

Is it a super secret spy agency or a fact-gathering agency which daily gives the President a briefing on the world situation of the past 24 hours?

LYMAN B. KIRKPATRICK, former CIA director-controller, spoke of both roles Thursday at Akron University.

However, Kirkpatrick revealed little of what goes on behind the walls of CIA headquarters in Langley, Va.

The CIA that Kirkpatrick portrayed has had its successes and failures.

ONE SUCCESS came during Presidential briefings after the high flying U-2 plane photographed Cuban missile placements and set in motion what Kirkpatrick called the high point in the CIA.

"The Cuban missile crisis proved what the CIA could do," he said.

The failure? That was the Bay of Pigs invasion which Kirkpatrick characterized as mistaken and confused intelligence work.

KIRKPATRICK believes the most difficult aspect for any intelligence agency is analyzing and projecting the wide-ranging material it gets.

Getting material is easy.

"Most raw intelligence comes from sources open to the public—such as newspapers and radio broadcasts. In fact, 80 pt. of the material gathered can be seen or heard by anyone and that includes those in "closed" countries," he said.

He said. But, he added, there are no American spies in the James Bond mold.

# DEAD LETTERS IN SAL

**M**ANY of the bright young men Allen Dulles had recruited to CIA from law offices and universities had gained their spurs in London, where they were sent to glean some of the methods of the British Secret Intelligence Service. Dulles enjoyed making wisecracks about the Victorian and Indian Army traditions still surviving in the British secret service, but he had a healthy respect for its unrivalled experience and great professionalism. He knew that CIA could learn a lot from the British about operations in the Middle East and Africa, where its stations were rapidly expanding.

After Archibald Roosevelt, one of CIA's foremost "Arabists", had restored cordial relations with SIS when station head in London, a plan of co-operation was devised for Africa, where most of the former British colonies had gained independence, and were becoming subject to strong Soviet and Chinese pressure. Roosevelt was still in London when, in 1965, Rhodesia made her momentous "Unilateral Declaration of Independence" (UDI), which led to the conflict with the British Government.

There is no better instance of the strengthening of CIA-SIS collaboration than the hitherto undisclosed story of the services CIA rendered the British authorities in Rhodesia, particularly since about 1968.

Indeed, in assisting the British SIS in its thankless task of implementing the policy of economic sanctions against the Smith regime, CIA put its relations with the Portuguese in jeopardy. It has an enduring understanding with the Portuguese Government and its PIDE secret service on many aspects: NATO security, anti-communist operations, the use of radio stations in Portugal and her colonies, and of bases for the U-2 spy planes and Special Forces in Angola, Mozambique and Macao. However thin the

British sanction policy became, British consular offices and SIS men were supposed to watch the steady flow of Rhodesian pig-iron, tobacco, and other products through the Portuguese ports of Lorenzo Marques and Beira in East Africa to Europe and the Far East. Merchants and shippers there had made fortunes out of the traffic which the Portuguese were bound, by United Nations resolutions and agreements with Britain, to regard as illegal.

After the closure of British missions in Salisbury all information about Rhodesian exports dried up at source. At this juncture CIA stepped in to assist the British. It was not merely a labour of love. American tobacco syndicates in Virginia, Georgia, North and South Carolina, Tennessee and Kentucky greatly increased their production and sales to Europe when Rhodesian tobacco growers lost most of their trade through sanctions. Traditionally, Rhodesian tobacco was used for cigar and cigarette manufacture in Belgium, Holland, Germany and Switzerland. When these supplies dried up, European manufacturers turned to American growers. But by and by Rhodesian exports began to flow again, by the use of false certificates of origin and smuggling through the Portuguese ports and through Durban in South Africa, much to the displeasure of the Americans.

Thus, obliging the British and helping American business, CIA ordered its agents to ferret out the secrets of the sanction-busting schemes devised by Mr Ian Smith's regime. Soon the CIA station in Salisbury was bustling with activity. Since 1962 it had been headed by Richard La Macchia, a senior CIA official, who had joined it in 1952 from to Africa in the guise of an official of the U.S. Development Aid Agency.

Other CIA men were Cape former A Francis M who had cloak-and Cuba and Wigan, Congo dt and sever the most Edward

Salisbury. From 1957 from the State Department; from 1959 he headed the East and South African section and, at the time of his new appointment, was Station Head in Pretoria. Among his various exploits he was reputed to have initiated the first contacts between the South African government and Dr Banda of Malawi.

The CIA agents were perpetually journeying between Salisbury and the Mozambique ports, and Murray was temporarily posted to Lusaka to maintain personal contact with British officials resident in Zambia. Mr Ian Smith and his cabinet colleague, Mr J. H. Howman, who looks after foreign affairs as well as security and the secret service of the Rhodesian regime, were not unaware of the unwelcome operations of the Americans. They suffered them for the sake of avoiding an open clash with Washington. Their patience, however, became frayed when it was discovered that secret documents had disappeared from the headquarters of the ruling Rhodesian National Front Party. Subsequently,

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# THE AFRICA DOSS

As British influence in Africa declined, so did British secret service, sending hundreds of agents to African capitals like Accra, Lagos, to buttress "sensitive" states against communism and protect

E. H. Cookridge continues his exclusive series on the CIA

**T**HE adventurous operations often bordering on the bizarre which the Central Intelligence Agency pursued in many parts of the world are usually ascribed to one man: Allen Dulles. They culminated in the abortive invasion of Cuba in 1961. When Dulles departed from the directorship of CIA after the Bay of Pigs debacle, he certainly left an indelible stamp of his influence as the architect of the mighty CIA edifice and its worldwide ramifications.

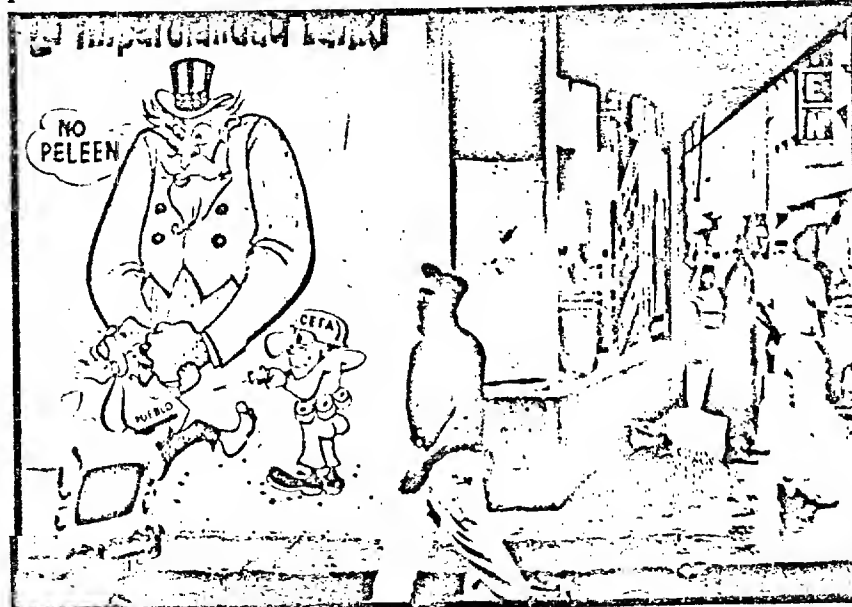
The policy of his successors has, however, been no less forceful. CIA activities under its present director, Richard McGarrah Helms, may appear less aggressive because they are being conducted with greater caution and less publicity, and because they have been adroitly adjusted to the changing climate in international politics. In the past CIA gained notoriety by promoting revolutions in Latin American banana republics, and supporting anti-communist regimes in South-East Asia. Its operations in Africa were more skilfully camouflaged. For many years they had been on a limited scale because the CIA had relied on the British secret service to provide intelligence from an area where the British had unsurpassed experience and long-established sources of information. But with the emergence of the many African independent countries, the wave of "anti-colonialist" emotions, and the growing infiltration of Africa by Soviet and Chinese "advisers", British influence declined. Washington forcefully stepped, through CIA, into the breach, with the avowed aim of containing communist expansion.

Financial investments in new industrial and mining enterprises, and lavish economic aid to the emerging governments of the "underdeveloped" countries, paved the road for the influx of hundreds of CIA agents. Some combined their intelligence assignments with genuine jobs as technical, agricultural and scientific advisers.

The British Government - particularly after the Labour Party had come to power in 1964 - withdrew most of their SIS and MI5 officials from African capitals, though some remained, at the request of the new rulers, to organise their own new intelligence and security services. CIA



A bloodless coup in Uganda in January last year installed Major-General Idi Amin as military ruler (a section of his troops). How far was the CIA involved? A pro-rebel poster attacks American intervention



men began hurriedly to establish their "stations" in Accra, Lagos, Nairobi, Kampala, Dar-es-Salaam, Lusaka, the "sensitive areas" in danger of slipping under communist sway.

By the mid-1960s several senior CIA officials, such as Thomas J. Gunning and Edward Foy, both former U.S. Army Intelligence officers, were firmly established at Accra. They were later joined by William B. Edmondson, who had already gained his spurs in East Africa, and Mrs Stella Davis, an attractive, motherly woman, whom no one would have suspected of hav-

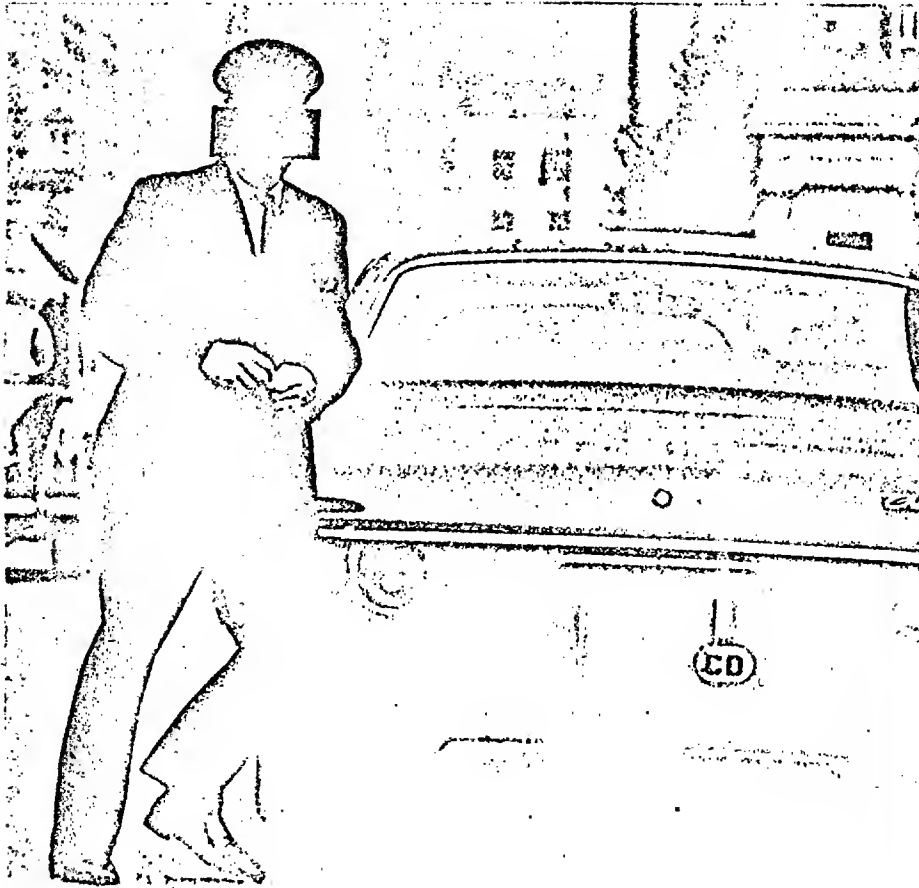
ing served for many years as a skilful FBI agent before joining CIA and being employed at Addis Ababa, Nairobi, and Dar-es-Salaam, acquiring fluency in Swahili. By 1965 the Accra CIA Station had two-score active operators, distributing largesse among President Nkrumah's secret adversaries.

The Americans had every intention of helping Ghana's economy by building a dam in conjunction with a British consortium, the Volta Dam, thus providing hydro-electric power for the

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continued



## THE BIGGEST SECRET SERVICE IN THE WORLD

Starting an exclusive report on the CIA, its power and influence

### INSIDE



**The Biggest Secret Service in the World.**  
 An analysis of the work of the Central Intelligence Agency begins on page 10.

The compiler of this three-part report is E. H. Cookridge (left), who is the author of 16 books on espionage. Recruited into the British Secret Service on graduating from the University of Vienna in 1934, he has spent his time ever since in intelligence work, or writing about it. "I am in the position of the dumb blonde in Hollywood films. Once you are it you cannot stop. I am tired of writing about spies." But his network of contacts built up over the years is unique; and ensures that he will be

## THE CIA AND DECISION-MAKING

*By Chester L. Cooper*

"The most fundamental method of work . . . is to determine our working policies according to the actual conditions. When we study the causes of the mistakes we have made, we find that they all arose because we departed from the actual situation . . . and were subjective in determining our working policies."—"The Thoughts of Mao Tse-tung."

IN bucolic McLean, Virginia, screened by trees and surrounded by a high fence, squats a vast expanse of concrete and glass known familiarly as the "Pickle Factory," and more formally as "Headquarters, Central Intelligence Agency." Chiselled into the marble which is the only relieving feature of the building's sterile main entrance are the words, "The Truth Shall Make You Free." The quotation from St. John was personally chosen for the new building by Allen W. Dulles over the objection of several subordinates who felt that the Agency, then still reeling from the Bay of Pigs débâcle, should adopt a somewhat less lofty motto. (In those dark days of late 1961, some suggested that a more appropriate choice would be "Look Before You Leap.") But Dulles had a deeper sense of history than most. Although he was a casualty of the Bay of Pigs and never sat in the Director's office with its view over the Potomac, he left a permanent mark not only on the Agency which he had fashioned but on its building which he had planned.

Allen Dulles was famous among many and notorious among some for his consummate skill as an intelligence operative ("spook" in current parlance), but one of his greatest contributions in nurturing the frail arrangements he helped to create to provide intelligence support to Washington's top-level foreign-policy-makers.

Harry Truman, whose Administration gave birth to both the National Security Council and the Central Intelligence Agency, recalls that, "Each time the National Security Council is about to consider a certain policy—let us say a policy having to do with Southeast Asia—it immediately calls upon the CIA to present an estimate of the effects such a policy is likely to have. . . .<sup>1</sup> President Truman painted a somewhat more cozy relationship between the NSC and the CIA than probably existed during, and certainly since, his Administration. None the less, it is fair to say that the intelligence community, and especially the CIA, played an important advisory role in high-level policy deliberations during the 1950s and early 1960s.

To provide the most informed intelligence judgments on the effects a contemplated policy might have on American national security interests, a group especially tailored for the task was organized in 1950 within the CIA. While this step would probably have been taken sooner or later, the communist victory

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**Richard J. Barnet**

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Symington, a former Secretary of the Air Force and veteran member of the Armed Services Committee, has also said that "there is no federal agency in our government whose activities receive less scrutiny and control than the CIA." Moreover, soon after Symington spoke, Senator Allen J.

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# Laotians Defeated On Plain

## Early Loss Seen Periling Key CIA Base

By D. E. Ronk

Special to The Washington Post

VIENTIANE, Dec. 21—

Communist forces have recaptured the Plain of Jars in northern Laos two months earlier than in the last dry season, raising doubts here that government forces will be able to retain a toehold to retake the strategic area next year.

Some CIA sources suggest that with the added time gained from the early capture of the plain yesterday, the North Vietnamese and Pathet Lao forces may move southwest toward Long Cheng, headquarters of the CIA and Meo tribesmen, less than 30 miles from the plain's southern edge.

[Wire services reported today that Long Cheng was attacked early today by 20 Communist commandos who damaged three aircraft and killed three Laotians.]

All U.S. government sources here indicated that Gen. Vang Pao, commander of progovernment irregular forces on the plain, had intended to maintain control of the plain through the 1971-72 dry season to relieve pressure on Long Cheng.

CIA-supported Meo and Thai irregular forces abandoned the government's remaining fire support bases on the western edge of the plain yesterday retreating under intense enemy artillery fire off the plain itself.

The 30-square-mile Plain of Jars is about 100 miles north of Vientiane. This is the fourth time it has changed hands in the last 2½ years, with government forces gaining control in the wet season

and relinquishing it in the dry season to the Communists.

Two firebases covering the plain, Sting Ray to the west and Cobra to the south, are reported to be under heavy artillery attack with little chance they can be held, sources say.

Laotian Defense Minister Sisouk Champassak put Communist losses during the first two days of fighting at 1,500 dead out of a reported 15,000 attacking. He said the government had from 6,000 to 7,000 troops on the plain during the attack. Government losses were described as heavy.

Though Communist infantrymen "paid the price of taking the plain," they apparently consider the prize worth the price, U.S. sources said.

The prize itself may only be the psychological effect on government and progovernment troops of suffering a major setback early and quickly, or this year it may be control of all the mountain region, sources here believe, including Long Cheng itself, leaving the government no toehold to mount an offensive during the next wet season.

Air cover for retreating troops and remaining positions in the west is minimal because of weather. Sources say bombing is impossible on the eastern half of the plain as Communist trucks ferry men and equipment southward under an umbrella of intense antiaircraft fire described as the heaviest ever in northern Laos.

Yesterday Defense Minister Sisouk reported the loss of two Laotian bombers to enemy ground fire, including the loss of their pilots. Sisouk also noted the presence of North Vietnamese Mig fighters slightly north and northeast of the plain, a presence U.S. sources here confirm and say appears part of the Communist strategy of keeping U.S. air support minimal.

About 20 U.S.-supplied howitzers are believed to have been lost to enemy action on the plain with only the howitzers at Cobra and Sting Ray now remaining in action. Thai gunners are reported to have spiked their weapons with phosphorous grenades to make them inoperable when abandoned.

Communist introduction of 130-mm. field guns into the attack, the first reported use of the big guns with a range of more than 20 miles, is re-

ported by the defense minister as being decisive in the battle. There have been other reports of 27 tanks being seen and heard at various locales on the plain.

Gen. Vang Pao, who visited a firebase over the weekend, according to Sisouk, called Communist artillery fire the heaviest ever in Laos and told Sisouk that during one 15-minute period 600 rounds landed within the position.

Opening their attack Saturday morning from the north northeast and southeast, Communist gunners poured a withering barrage into the nine progovernment positions.



# Lennon to Join U-M Rally

Special to the Free Press

ANN ARBOR — John Lennon and his wife, Yoko Ono, plus a host of other political activists and rock stars will appear here Friday evening for a Free John Sinclair rally.

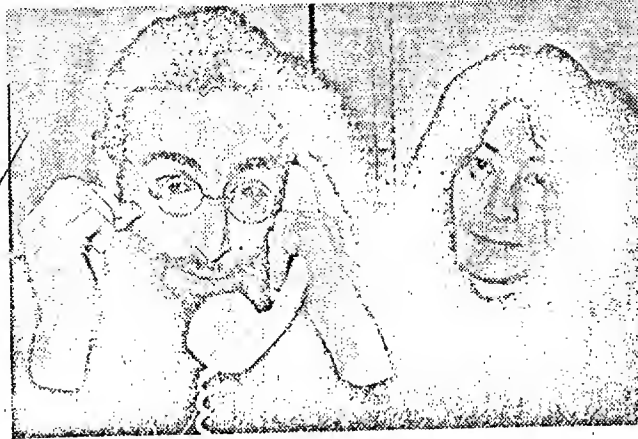
The Rainbow People's Party and the Free John Sinclair Committee announced the rally Wednesday. It will be held at 7 p.m. in the University of Michigan Crisler Arena, which seats 15,000 persons.

**THE LIST** of political activists and entertainers who are scheduled to attend the rally reads like a who's who of the counterculture.

In addition to Lennon and Yoko, those scheduled to appear include:

Black Panther leader Bobby Seale, Rennis Davis and Jerry Rubin, of the famed Chicago Seven; poet Allen Ginsberg, Father James Groppi and Robert Williams, founder of the Republic of New Africa.

Jazz musicians Archie Shepp and Roswell Rudd, Commander Cody and his Lost Planet Airmen, folk singer Phil Ochs, the Joy of Cooking, and David Peel and the Up.



John Lennon and Yoko Ono

**PROCEEDS** FROM the rally will go to Sinclair's legal fund, according to the rally sponsors.

Sinclair was sentenced in 1969 to from 9½ to 10 years in Jackson prison for possession of two marijuana cigarettes. It was his third conviction.

The case is presently before the Michigan Supreme court on appeal.

Sinclair is also facing charges along with two others

on conspiring to bomb the Ann Arbor CIA offices in September of 1968.

During a press conference Wednesday to announce the rally, its sponsors played a tape of a phone conversation with ex-Beatle Lennon and Yoko Ono.

"We won't be bringin a band," Lennon said, "I'm only here as a tourist, but I'll probably fetch me guitar, and I

know we have a song we wrote for John (Sinclair) and that's that."

**LENNON** RECENTLY published, but has not as yet recorded a song about Sinclair in which he calls out, "Gotta, gotta set him free..."

"It ain't fair, John Sinclair in the stir for breathing air," the song starts and then proceeds:

*"If he'd been a soldier man  
Shooting gooks in Vietnam  
If he'd was a flying man  
Dropping dope in old Siam  
He'd be free, they'd let him be  
Breathing air like you and me."*

Lennon is expected to sing the song at the rally Friday.

"We're really thinking in terms of John Sinclair," Yoko Ono said in her taped phone conversation, "and our friends, our brothers and sisters who are in pain, and we really feel the pain with them."

The rally will be broadcast live in Detroit on FM radio station WABX.



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## Waste and duplicity in intelligence gathering?

# Former CIA 'spy' comes in from the cold—into hot water

By Joanne Leedom

Staff writer of The Christian Science Monitor

Boston

In the basement of his home in Oakton, Va., with dogs and children running havoc around him, Victor Marchetti wrote a spy novel last year. Today Mr. Marchetti and his new book "The Rope Dancer" are stirring up havoc of another kind just a few miles from his home, at Central Intelligence Agency (CIA) headquarters where Mr. Marchetti was an official just two years ago.

Today Mr. Marchetti is the spy "who came in from the cold—into hot water," to quote one of his friends. Now an outspoken critic of the agency, Mr. Marchetti has been traveling around the country promoting his exposé of the spy's world and crusading for reform in the CIA.

Mr. Marchetti left the CIA after a 14-year career in protest over what he asserts is its waste and duplicity in intelligence gathering, its increasing involvement with the military, its amorality, and what he says now is its subtle shifts to "domestic spying."

Reform, he says, in the entire intelligence network should be three-pronged: (1) reorganizing responsibilities, (2) reducing size ordered by President Nixon. Placing CIA director Richard Helms as overall coordinator of national intelligence recently was in part aimed at eliminating the waste in the nation's \$6 billion/200,000-man intelligence operation which spans a dozen governments and funding, and (3) exposing the intelligence community to more public control and scrutiny.

### Silence maintained

The CIA, in its turn, has remained customarily silent to the public attack. However, one former top CIA official, who asked to remain anonymous, agreed with some of Mr. Marchetti's points but disputed his main arguments.

Since Mr. Marchetti began speaking out several months ago, a major restructuring in the intelligence community has been on the agenda. It was also aimed at tailoring intelligence output more closely to White House needs.

This reform and Mr. Marchetti's own criticism come at a time when Congress, too, is demanding more knowledge and control over the intelligence networks. For the first time Congress has ordered public hearings on the CIA next year, and Mr. Marchetti plans to testify.

### Military in

In Boston Mr. Marchetti explained his own "defection": "My discontent with the

agency was hard for me to identify at first. I began first to criticize the waste. This is ridiculous, I thought. We could be doing the job for \$2 billion less.

"The second thing that was most annoying to me was the military influence. This is very pervasive. When the Secretary of Defense controls 85 percent of the assets, he [the CIA director] doesn't have the muscle to make changes. The military influence in many ways is the greatest single factor of waste. They want to know more and more and are responsible for collection overkill."

To these two criticisms, the former CIA official who worked close to the director and who responded for The Christian Science Monitor, partly agreed. "There is unfortunately an awful lot of duplication," he said, but added, "What is needed is tighter control over the military [not the CIA]. It's not a question of the CIA duplicating the military, but of the military duplicating what the CIA does. The President's reorganization is a strong move in the right direction."

Another one of Mr. Marchetti's complaints is that the traditional intelligence work of gathering and assessing information has been "contaminated" with paramilitary activity.

A prime example is Laos where the CIA recruited and armed thousands of natives, says Mr. Marchetti, who worked in the CIA as an intelligence analyst, as special assistant to the chief of plans, programs, and budgets, to the executive director, and finally as executive assistant to the agency's deputy director.

"[At the time] perhaps a handful of key congressmen and senators might have known about this activity in Laos. The public knew nothing," he declared.

According to the former CIA administrator, however, paramilitary activity is shifting out of the CIA now and into the Army. "But in any case," he said, "the CIA doesn't decide on this activity; they are directed by the President and the National Security Council." If there is to be reform in the use of the CIA, he argues, it must come from the President's direction.

While Mr. Marchetti is highly critical of the CIA's paramilitary and clandestine interventions in other countries, he insists that the real threat of the CIA today is that it may "unleash" itself on this country.

### Concern noticed

"In recent years as domestic unrest increased, I've noticed the CIA is concerned about the FBI's apparent inability to handle subversion in this country. I think there's an effort to convince the nation that the CIA should get into domestic intelligence."

"Ridiculous," snapped the former CIA administrator, and left this charge at that.

To reform the intelligence network, Mr. Marchetti says there should be a reorganization to limit the Defense Department to the routine intelligence needs of various departments—Army, Navy, etc.

"Then I'd put the National Security Agency under the control of the President and Congress," elaborated Mr. Marchetti. "Congress has very little knowledge about what goes on. The Pentagon papers and the way the Supreme Court acted strips away the shield intelligence has always had. We need to let a little sunshine in; that's the best safeguard."

### Laos example cited

The former administrator insists, however, that there are already adequate controls through special congressional committees which control appropriations and military affairs. "If you had the whole Congress and Senate debating these issues in executive session, you might as well do away with it [secret intelligence operations]. Inevitably there would be leaks."

"Of course there would be leaks," admitted Mr. Marchetti. "What I'm really saying is that in the final analysis if we made the President walk through it [his decision to use covert forces in foreign countries], the President would see it's all not worth it. Then if we deny ourselves these alternatives we'd have to act in a diplomatic fashion."

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"CORDS comes home to Washington,

Pacification has just begun,

Still so many hearts and minds to be won."

—from "Songs to Alienate Hearts and Minds By"

## Vietnamization Of the Foreign Service

**N**EARLY three million Americans have now served in Vietnam. Of these, about 600 have been Foreign Service officers.

Thus, roughly 20 percent of the Foreign Service has been exposed to many of the stimuli which have turned "nice" kids from Middle America into peace freaks, hawks, junkies, and even assassins.

For the FSOs, however, the experience generally has not had the radicalizing effect that it has had on many of the military men. The FSOs tended to be older and less malleable than the American soldiers in Vietnam, and their personal thought processes were more subtle and less striking than those of the GIs. Some FSOs were essentially untouched by the whole experience, reacting no differently than if they had been in Paris or Rome. But for most, and especially the young, Vietnam meant change. It meant a violent breaking away from the traditional diplomatic life and an exposure to the realities of war.

About 350 FSOs have been assigned to the Pacification program (CORDS). They functioned as advisors to the Vietnamese civilian and military administration in an effort to make the Government of Vietnam a viable force in the countryside. Few, if any, had any back-

### JOHN CLAYMORE

*John Claymore is the pseudonym of a former FSO who served in Vietnam. The primary reason for his resignation from the State Department was disagreement with US policy on Southeast Asia. He is not using his real name because of a limitation on publishing in his current job, but he would be glad to correspond or meet with anyone interested in discussing his article.*

ground for this assignment; yet most have acquitted themselves well, within the context of the programs they were working in.

Nevertheless, FSOs have been affected by the same pressures that have been widely reported in relation to the military.

Many served in proto-combat roles with command responsibility. While not participants, they received reports of war crimes and what often seemed like the unnecessary loss of human life. Some were faced with the moral dilemma of how far they should go in exposing incidents which they knew to be wrong.

One FSO currently serving in Washington possesses a file of documented atrocities including

photographs. He has written extensive reports on these apparent war crimes he investigated in Vietnam. As far as he knows, no action has ever been taken to punish the guilty. Because he is a supporter of the President's Vietnam policy, and because he fears the effect on that policy of additional war crime controversy, he has not chosen to make his information public. He also is undoubtedly aware of the negative result disclosure would have on his career prospects.

His example is extreme, but it points up the fundamental proposition that serving in Vietnam is not like serving elsewhere.

With respect to no other country could it be said that perhaps 20 percent of the FSOs had experimented with soft drugs, but that is the case in Vietnam. And in no other country do FSOs have their own personal automatic weapons and receive training in how to fire a grenade launcher before they go.

Vietnam is different.

**V**IENTNAM has undoubtedly sharpened the generation gap between young and old FSOs. In some of the junior grades, a disproportionately large number have been to Vietnam. Almost all return with a

continued

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# NIGHT OWL reporter

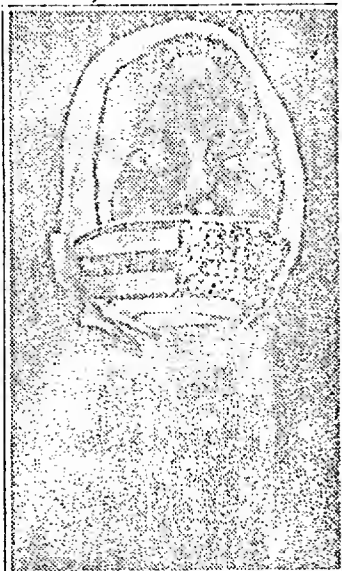
## The Man From Ann Arbor

There is a laugh-provoking scene in the movie "Taking Off" in which a club of white middle-class parents of run-away children take a lesson in pot smoking to help them "relate" to their children.

The question arises, though the lesson is in a good cause, about the penalty for such a mass smoke-in if there was an arrest. Their young teacher raises his eyebrows and replies, "A man in Michigan was sentenced to prison for 10 years for having two joints."

No joke, the man is John Sinclair and getting him released has become a major cause for his wife, friends and others who believe his sentence in 1969 represents a prime example of unjust laws. His wife, Leni, has been commuting between New York and her home in Ann Arbor, Mich., working with some prominent but still unrevealed names to organize a benefit concert for her husband in December. An appeal to reverse his conviction is currently before the Michigan Supreme Court.

While Sinclair may not have the pop prominence of Berry Gordy, he carries his own special clout in the field of Detroit music. Through his organization and management, the hard-driving rock quintet called MC-5 came to national prominence. In a new book, "Music and Politics," Sinclair speaks of the MC-5 and Iggy and the Stooges, another group whose music has the subtlety of an auto chassis stamping machine, as examples of "high energy level music," the important function of which is to "reflect and shape the purest and highest stages of people's consciousness, i.e., revolutionary consciousness."



John Sinclair smokes a straight before arrest; his wife Leni makes silent commentary on justice in court corridor.

ness." The book is a collection of articles of criticism Sinclair wrote for Jazz and Pop magazine while in prison. His attitudes are summarized in a book called "Guitar Army," also written in prison and soon to be published by Douglas Books.

Those who say Sinclair is getting what he deserves present this evidence: two previous arrests and convictions for possession of an ounce or so of marijuana, the first conviction in 1964 bringing a \$200 fine and two years probation, the second in 1966 bringing a six-month sentence; a charge, in a case which appeals have taken to the U.S. Supreme Court, that he conspired with two other men to bomb a CIA office in Ann Arbor in 1968, a nighttime explosion that shattered windows in the empty building and broke a sidewalk; his work with Lemar, an organization for the legalization of marijuana; his founding of a group called the White Panthers, which had a vague agenda.

name called Trans-Love Energies in an 18-room house in Ann Arbor near the University of Michigan campus, with its doors open to anyone and his preachment of "revolution" through music.

Pro-Sinclair people say he has done nothing except smoke grass and irritate the establishment through his life style.

The situation brings to mind other notable examples of pot users who were caught. Stripper, Candy Barr got 15 years in Texas in 1958 for possession of one joint and a quantity of loose grass stashed in her bra. She was released after three years. Gene Krupa served three months in 1943 for sending his teenage valet to pick up a pack of reefers from his hotel room. Krupa still is paying his dues by lecturing high school students on the dangers of drugs.

In perspective, such furor over smoking pot seems extravagant, but Robert Apablaza just beat a 50-year sentence for holding a matchbox full of marijuana by escaping from the Louisiana jail where he was held and fleeing to New York. The governor of New York persuaded the governor of Louisiana to drop extradition proceedings.

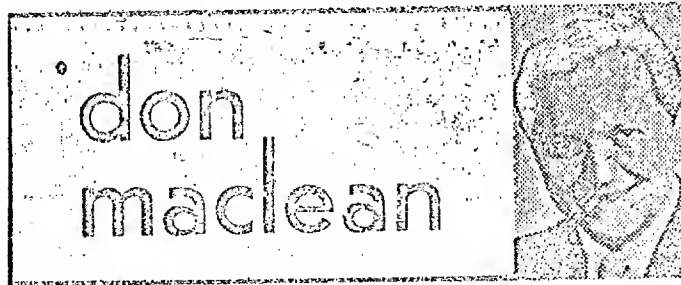
The strain of Leni's efforts to get her husband released shows in her face and voice but she doesn't show vindictiveness, even when telling how her husband was arrested by the same undercover agent who had arrested him in 1966. "He used the name Louie," she said, "and he had a 'girl friend' who was an undercover agent too named Pat. Our doors were pretty much open. He had long hair after having had short hair and we didn't recognize him. We had a communal dinner every Sunday afternoon and Louie and Pat brought some fried chicken once and swept the floor. They were really nice."

For weeks they begged John to get them some grass, she said, so finally one evening he made two joints they said they wanted to take to a party. That did it.

Anyone interested in learning more about the Sinclairs' side can write the Committee to Free John Sinclair, 715 E. Grand Blvd., Detroit 48207.

—ERNEST LEGRANDE

1 DEC 1971



HAVING lived in New York for several decades one summer, I feel qualified to give sage advice of new residents of Baghdad, I mean, Baghdad on the Hudson. I refer, of course, to the Red Chinese U.N. delegates. One of the first things they'll have to learn is that New Yorkers often refer to the city by other names: Manhattan, Gotham, the aforesaid Baghdad on the Hudson use those other names is because if they really called New York what they wanted to, I couldn't print it.

The Chinese may misunderstand certain things, such as garbage collection and street cleaning. As a contribution to antipollution effort, the city fathers are trying to dump as little refuse as possible in city dumps or out at sea. The best way to accomplish this is to not pick up garbage and trash in the streets. Then there's no need to dump it at sea, see? At some point the Chinese may think their phones are tapped, simply because when dialing their quarters from the U.N. Building they may occasionally get the New York office of the CIA. Other times they may get Joe's Pizza Shop. I advise the Chinese not to worry about this. It simply means that N.Y.C.'s telephone lines are a bit confused. (If it's any comfort to them, even the CIA often gets Joe's Pizza Shop.)

Folks laugh at the Reds for buying everything with \$100 bills and waiting politely for change. Well, they won't be silly for very long, because with inflation the way it is and with the prices in New York anyway, pretty soon \$100 will BE change. (Yeah, I know, that's an old joke. But the Chinese don't know that — they just got here, remember?) Oh, and a word about strikes. Whenever there is a strike of some labor force in New York, the Red Chinese should — being Communists and naturally sympathetic to workers — simply not go to work. That way, I figure they can miss about 219 days per year.

Finally, here is some advice about getting along with the natives: To make friends with a New York cab driver, the Chinese should give him helpful hints on the routes and warn him of various traffic regulations. Bus drivers are delighted to help you on and off the buses, but you must ask them. In restaurants, never tip. This is an insult to the working classes. New York policemen love to be called "coppers" and a swell way to make a hit with one just now is to say "Hey, how come you weren't on TV with the others?" (This is in reference to a question-and-answer show New York police had recently.) By following these suggestions, the Reds should really find New York to be Fun City!

27 NOV 1971

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CIA Revamping

## How the Administration Is Trying to Improve Intelligence

Behind the scenes President Nixon's confidence in Central Intelligence Agency Director Richard M. Helms has taken a new leap forward. Mr. Nixon believes (correctly) that our nation's intelligence setup is a sick elephant. He has quietly assigned Mr. Helms to correct it.

By HENRY J. TAYLOR

A sick elephant is a formidable danger. And secrecy keeps our public from knowing even the size of this elephant, to say nothing of how sick it is.

Incredibly, we spend close to \$6 billion a year for intelligence. Just the CIA alone is larger in scope than the State Department and spends more than twice as much money.

Legendary Gen. William J. ("Wild Bill") Donovan's Office of Strategic Services conducted our entire World War II espionage throughout four years, and throughout the world for a total of \$135 million. The budget of the CIA (secret) is at least \$1.5 billion a year.

Next to the Pentagon with its 25 miles of corridors, the world's largest office building, the CIA's headquarters in suburban Langley, Va., is the largest building in the Washington area. The CIA has jurisdiction only abroad, not in the United States. But the CIA maintains secret offices in most major U.S. cities, totally unknown to the public.

About 10,000 people work at Langley and another 5,000 are scattered across the world, burrowing everywhere for intelligence. These include many, many unsung heroes who secretly risk their lives for our country in the dark and unknown battles of espionage and treachery. I could name many. And as a part of its veil of secrecy the CIA has its own clandestine communications system with Washington and the world.

The Pentagon spends \$3 billion a year on intelligence, twice as much as the CIA. Like the CIA, its Army, Navy and Air Force intelligence arms operate worldwide, of course, and—largely unknown—they also have an immense adjunct called the National Security Agency which rivals the CIA in size and cost.

Then there exists the important Intelligence Section of the State Department, likewise worldwide. Its chief re-

ports directly to Under Secretary of State John N. Irwin II, it is understandably jealous of its prerogatives, and traditionally it plays its findings very close to its vest.

Additional intelligence agencies—all growing, all sprawling, all costly—spread out into the world from the office of the secretary of defense, the Atomic Energy Commission, National Aeronautics and Space Administration (NASA) and even the Department of Commerce.

In fact, there are so many additional hush-hush agencies that recently in West and East Berlin alone there were at least 40 known U.S. intelligence agencies and their branches—most of them competing with one another.

Mr. Helms himself defines intelligence as "all the things which should be known in advance of initiating a course of action." The acquisition of intelligence is one thing; the interpretation of it is another; and the use of it is a third. The 1947 statute creating the CIA limits it to the first two. It also makes the CIA directly responsible to the President. But it is simply not true that the CIA is the over-all responsible agency, as is so widely believed.

Again and again, no one and everyone is responsible.

The function of intelligence is to protect us from surprises. It's not working that way. The sick elephant is threatening our national security by surprise, surprise, surprise.

Alarmed President Nixon has given Mr. Helms new and sweeping intelligence reorganization authority on an over-all basis. He has given him the first authority ever given anyone to review, and thus affect, all our foreign intelligence agencies' budgets. The President believes Mr. Helms, this undercover world's most experienced pro, can cut at least \$1 billion out of the morass.

The President confided that he is totally fed up with the intelligence com-

## STATINTL

self-protective vagueness and dangerous rivalries. He has made it clear that he wants its output brought closer to the needs of the President's so-called 40 Committee (actually six men), which serves the National Security Council and the President himself.

In amputating much of the sick elephant, Mr. Helms' directive is to cut down on the surprises. And the President could not have picked a more knowing, no-nonsense man to do it.



CIA Director Richard Helms heads up the 15,000-man intelligence operation that is now being streamlined.



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## Congress and the CIA

President Nixon has issued an executive order which invests Richard Helms, director of the CIA, with authority to oversee all the intelligence agencies (the National Security Agency, the Defense Intelligence Agency, etc.) and to cut "bureaucratic fat" and professional overlapping wherever possible. There may be merit in this new order, but there is incontestable merit in Sen. Stuart Symington's reaction to it. The Senator notes that the CIA was brought into existence in 1947 by an act of Congress. Its powers and duties are defined by legislation adopted by the Congress. The director and deputy director are subject to confirmation by the Senate. Last year the Congress appropriated between \$5 billion and \$6 billion for the intelligence establishment; no one knows the exact amount, since part of the CIA's budget is artfully concealed. Yet the Senate was not consulted about the proposed reorganization. Senator Symington serves on the CIA subcommittee of the Senate Armed Services Committee. To his knowledge, the subcommittee was not consulted about, nor did it approve, the reorganization ordered by the President. As a matter of fact the subcommittee has not met once during the current year. This is an amazing state of affairs. Surely the Congress has a right to be consulted about the reorganization of an agency which owes its existence to an Act of Congress and is sustained by annual appropriations voted by the Congress.

The fact is that the CIA enjoys an autonomy almost as complete as that enjoyed by the FBI. Whatever the original intention of the Congress, the CIA functions today as an adjunct of the White House. The intelligence it gathers is available to the President; it is not available to the Congress. Under the proposed reorganization, it will be even more directly responsible to the President, and by its oversight control over the other agencies will be supplying him with a unified appraisal. An agency that gathers information for the President may be tempted to provide him with the estimates it thinks he wants (as the Pentagon Papers have shown, intelligence reports that do not coincide with White House opinion are apt to be ignored), and as Joseph Kraft pointed out in a recent column, there is much to be said for diverging, even conflicting, reports in the highly subjective area of intelligence evaluation.

The CIA is closed off from scrutiny by the press, public and the Congress; like the FBI, it functions in splendid bureaucratic isolation. Mr. Helms is such a gray eminence that a private elevator takes him to and from his office in the CIA structure in Langley, Va. Like Mr. Hoover, he is usually not "available," except at budget time. Recently, however, he has been trying to give the agency a new, or at least a brighter image, since he is well aware of a growing restiveness in the Congress and of the need to slash budgets. A *Nation* editorial of May 3 called attention to the way in which Mr. Helms was "breaking cover" to talk about the brilliant achievements of the

agency and to assure us that it is guided by the same friends of the democratic ideal. Now he is up to the same antics again. This week he is the "cover boy" on *Newsweek*, with the predictable feature telling of gallant CIA capers of a kind that could have been made known only by the agency that is so super-secret it feels compelled to conceal its activities from the Congress.

Congress should not take any more of this guff from the agency or its director. It has authority to insist that its authority be respected and it has a clear responsibility to act in that spirit. In an editorial last August 2, we remarked on a measure, introduced by Sen. John Sherman Cooper, which would require the CIA to make its intelligence reports available to the chairman of the germane committees of the Congress (Armed Services and Foreign Relations) and also require the agency to prepare reports at the request of the Congress. There is precedent for such legislation in the instructions given the AEC. After all, the CIA often gives to foreign governments information and reports which it will not make available to the Senate or the House. This is selective secrecy carried to a grotesque extreme.

Hearings will be held on Senator Cooper's bill (S. 2224) during the first week of February. It is a wise and sensible proposal. We hope it is adopted. We hope too that the CIA subcommittee will come alive and begin to exercise a real degree of oversight over the agency. Better still, the Senate should adopt the resolution offered by Senator Symington (S. 192, November 13) to create a select committee which would oversee the CIA. But there is really only one way to deal with the problem of the CIA and that is to make it directly responsible to the Congress. If it is engaged in activities of such a character that they cannot be reported to the Congress, then it should be told to abandon those activities. There is no place for a secret agency of the CIA type within the framework of a constitutional democracy, which is how Justice Stanley Reed once characterized our form of government. As long as the CIA can plead secrecy, Congress will be unable to exercise effective oversight. The time has come to make both the FBI and the CIA subject to close and continuing Congressional supervision and control.

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4435 WISCONSIN AVE. N.W., WASHINGTON

FOR PUBLIC AFFAIRS STAFF

PROGRAM The Ten O'Clock News

STATION WTTG TV

DATE November 21, 1971

10:00 PM

CITY Washington, DC

OPERATION GINO

NEWSCASTER: Speaking of curtains, syndicated columnist Jack Anderson reports how the CIA's security curtain was breached by a group of little boys.

JACK ANDERSON: The legendary security of the Central Intelligence Agency has been penetrated by a secret spy mission called Operation Gino.

Here is the hush-hush story. The CIA enclave is enclosed by cyclone fencing and protected by electronic detection devices. Guards swarm all over the place. The only way to get inside is through the main gate which is carefully watched by the security men. But four schoolboys, led by 11-year old Stewart Andrews of McLean, Virginia found a series of manholes in an old federal road testing facility near the CIA. They got the covers off and explored the underground tunnels. Their subterranean travels took them past the great security wall and up into secret CIA territory.

They went back day after day, telling their parents mysteriously, they were engaged in Operation Gino.

But the manhole covers were overgrown with greenery and the boys soon broke out in a familiar rash. The rash led to more probing questions from their parents. Thus was Operation Gino foiled by a case of poison ivy.

The CIA deals in operations so secret that its waste paper is classified. Yet it receives more publicity than government agencies that advertise. So, understandably, the CIA isn't saying anything about the schoolboys who infiltrated their headquarters.

But maybe the CIA security wasn't so bad after all. Perhaps the poison ivy was a CIA plant.

This is Jack Anderson in Washington.



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STATINTL

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HENRY J. TAYLOR

## Our Spy Elephant Is Sick

STATINTL

Behind the scenes President Nixon's confidence in Central Intelligence Agency Director Richard M. Helms has taken a new leap forward. Mr. Nixon believes (correctly) that our nation's intelligence setup is a sick elephant. He has quietly assigned Mr. Helms to correct it.

A sick elephant is a formidable danger. And secrecy keeps our public from knowing even the size of this elephant, to say nothing of how sick it is.

Incredibly, we spend close to \$6 billion a year for intelligence. Just the CIA alone is larger in scope than the State Department and spends more than twice as much money. Legendary Gen. William J. ("Wild Bill") Donovan's Office of Strategic Services conducted our entire World War II espionage throughout four years and throughout the world for a total \$135 million. The budget of the CIA (secret) is at least \$1.5 billion a year.

NEXT TO THE PENTAGON with its 25 miles of corridors, the world's largest office building, the CIA's headquarters in suburban Langley, Va., is the largest building in the Washington area. The CIA has jurisdiction only abroad, not in the United States. But the CIA maintains secret offices in most major U.S. cities, totally unknown to the public.

About 10,000 people work at Langley and another 5,000 are scattered across the world, burrowing everywhere for intelligence. These include many, many unsung heroes who secretly risk their lives for our country in the dark and unknown battles of espionage and treachery. I could name many. And as a part of its veil of secrecy the CIA has its own clandestine communications system with Washington and the world.

The Pentagon spends \$3 billion a year on intelligence, twice as much as the CIA. Like the CIA, its Army, Navy, and Air Force intelligence arms operate worldwide, of course, and — largely unknown — they also have an immense adjunct called the National Security Agency which rivals the CIA in size and cost.

Then there exists the important Intelligence Section of the State Department, likewise worldwide. Its chief reports directly to Under Secretary

of State John N. Irwin 2nd, it is understandably very close to its vest.

ADDITIONAL intelligence agencies — all growing, all sprawling, all costly — spread out into the world from the Office of the Secretary of Defense, the Atomic Energy Commission, National Aeronautics & Space Administration (NASA) and even the Department of Commerce.

In fact, there are so many additional hush-hush agencies that recently in West and East Berlin alone there were at least 40 known U.S. intelligence agencies and their branches — most of them competing with one another.

Mr. Helms himself defines intelligence as "all the things which should be known in advance of initiating a course of action." The acquisition of intelligence is one thing; the interpretation of it is another; and the use of it is a third. The 1917 statute creating the CIA limits it to the first two. It also makes the CIA directly responsible to the President. But it is simply not true that the CIA is the over-all responsible agency, as is so widely believed.

Again and again, no one and everyone is responsible.

THE FUNCTION of intelligence is to protect us from surprises. It's not working that way. The sick elephant is threatening our national security by surprise, surprise, surprise.

Alarmed President Nixon has given Mr. Helms new and sweeping intelligence reorganization authority on an over-all basis. He has given him the first authority ever given anyone to review, and thus effect, all our foreign intelligence agencies' budgets. The President believes Mr. Helms, this undercover world's most experienced pro, can cut at least \$1 billion out of the morass.

The President confided that he is totally fed up with the intelligence community's duplications, contradictions, self-protective vagueness and dangerous rivalries. He has made it clear that he wants its output brought closer to the needs of the President's so-called 40 Committee (actually six men), which serves the National Security Council, and the President himself.

In amputating much of the sick elephant, Mr. Helms' directive is to cut down on the surprises. And the President could not have picked a more knowing, no-nonsense man to do it.

# C.I.A. — A SECRET ARMY FOR SUBVERSIVE WARFARE

STATINTL

## They even speculate on the of world figure!

(PIERRE NORD, an internationally known expert on espionage, describes subversive war — the ultimate weapon — in his book "L'intoxication" (Editions Fayard). It is a document, a first-hand memoir. In it, he traces the development of the great contemporary affairs and evokes little-known facets of the 1939-1945 world conflict and the subversive, revolutionary, ideological cold war that has changed the face of the world since 1945. . . Here are passages from his chapter on the United States Central Intelligence Agency — C.I.A.).

The C.I.A.'s headquarters is sheltered from the curious in a 125-acre park at Langley, Virginia, twenty minutes by car from the White House. Information has assumed that the President of the United States runs the secret services himself (!) and is as close to the other user of its services, the Pentagon, joint headquarters of the American General Staff and the U.S. Department of Defence.

The C.I.A. director, head of American secret war, espionage activity and subversion in foreign countries, is assisted by two other men: the chiefs of the Intelligence Division and Plans Division, and he knows what combination of electronic brains and robots! **SPYING IN LUXURY**

**OF ELECTRONICS**  
The C.I.A. directors — surrounded by luxury and calm, in their Langley office, dressed in shirt-sleeves and slippers if they like their ease — can exploit the labours of the National Aeronautics and Space Administration and its satellites carrying out patrols for them in the stratosphere at 40,000 miles an hour; the Midas II detecting missiles, the Samos series and other systems taking photographs. Tomorrow, the orbiting space stations will be

The results of these space eyes, translated into film and tape recordings, graphs and summaries, allow the directors to count Soviet missiles stockpiled at Sverdlovsk, or to determine the advanced state of the next Chinese nuclear experiment, or to hear Moscow's orders to its submarines cruising along Florida's coast, or to follow the countdown of Soyuz rocket "Number X" at Baikonour in the farthest reaches of the Soviet Union as easily as they can check the progress of their own Apollo "Number Y" at Cape Kennedy. All instantly evaluated in terms of numbers: the C.I.A.'s **WORKING STAFF**. The C.I.A. declares some 20,000 permanent employees, and some writers have put the total at 60,000 — divided more or less equally between the "blacks" who operate under cover and the "whites" who check in at Langley and its branches every day and cannot conceal themselves.

**A SECRET "ARMY"**  
It is openly reported that the American secret service is an army of hundreds of thousands of men. That is plainly an exaggeration: but it would be less so if the venal foreign agents on the monthly payroll and freelance spies were counted.

**WHO CAN** say how many are work in Indochina alone? It would be well below the mark if scientific and industrial workers who conceive and build the espionage machinery were counted.

Spying and counterespionage have become vital industries and electronic values are the workhorses of Wall Street, the New York Stock Exchange.

**HOW CLOSE TO DEATH?**

But it is certainly the medical service which is the Agency's avant-garde. Among its

evaluates the length of the remaining life-span of foreign personalities who interest the United States. Its doctors say they do not bother with leading American figures: that is false on the face of it because it is the latter who determine everybody's future.

As for the private lives and financial affairs of these personalities, the C.I.A.'s leading legal experts, accountants and police officers often know more than their colleagues in the subject's homeland.

A very select company of sociologists, economists, historians, geographers, financiers, political experts and emigres interpret an enormous mass of information collected on each antagonistic, neutral or allied state.

"BLACK" agents get data at its source overseas under cover as tourists, journalists, businessmen or diplomats. These are the real secret agents. The "WHITES" include a technological elite of researchers, scientists, chemists, metallurgists, mathematicians, biologists, electricians, electronics experts, photographers, doctors, foresters, dietiticians and even magicians.

And this is no joke. Going even farther: The Americans and the Soviets moreover have been experimenting in thought transmission, and what has filtered through of the first results could shake the most rational mind.



Richard Hallme — the new C.I.A. boss.

Being the most expensively paid in the world, they appear qualified enough to conclude "Here is what this country will do in such circumstances"

## Speakers Hit Bureau's Power

By Charles Krause

Special to The Washington Post

PRINCETON, N.J., Oct. 29

An "FBI Conference" opened here today with the 55 participants painting a grim picture of a police state disregarding constitutional liberties and repressing political dissent by use of informers, wiretaps, electronic surveillance and agents provocateurs.

The FBI, charging it was cast as the "defendant" and found guilty before the fact, has declined to participate.

Legal scholars, political scientists, journalists and former Justice Department personnel, FBI agents and informants spoke of increasingly uncontrolled power of the FBI, especially in its attempts to monitor groups which seek social, economic and political change.

While most of the participants did not question the FBI's ability to combat certain types of crime, many expressed their dissatisfaction with the bureau's efforts to fight organized crime, protect civil rights workers, infiltrate protest groups and promote the FBI's image as a vigilant and incorruptible investigative agency.

William Turner, a former FBI agent asked to resign in 1961, charged that he knew of several instances in which FBI agents had forged checks, stolen property, been involved in drunken driving accidents and otherwise acted outside the law. Turner said that none of these agents was charged because it is bureau policy to persuade local law enforcement officials to drop charges.

Turner said that the FBI has been so unsuccessful in its attempts to uncover foreign espionage agents working in the United States that the CIA has been forced to set up its own bureaus around the country.

Prof. Thomas J. Emerson of Yale law school, charged that the FBI regularly violates the First and Fourth amendments

of the constitution. Emerson said that wiretaps, bugging and the use of informers tend to limit freedom of speech and violate the Fourth Amendment's protection from illegal searches and seizures.

Emerson said that the FBI's "political warfare against dissident groups raises the spectre of a police state." The Yale law professor said the only remedy for current FBI practice is the creation of a public board of overseers and an ombudsman, to protect the public from arbitrary FBI practices, such as the inclusion of persons' names in practices, such as the inclusion of persons' names in FBI dossiers.

Prof. Frank Donner, also of Yale law school, said political informers used by the FBI are "intended as a restraint on free expression, as a curb on movements for change."

"It can hardly be denied that the self censorship which it (surveillance by informers) stimulates is far more damaging than many expressed statutory or administrative restraints."

Former FBI agent Robert Wall supported Donner's charges. Wall said he resigned from the Washington bureau in 1970 because he became disgusted by the FBI's surveillance activities. "Anyone who would say something against the Vietnam war had to be watched and watched closely. The chilling effect was very real," he said.

Donner concluded that "thoughtful Americans must begin to ask themselves whether 'national security'... really requires that we corrupt and bribe our youths, blacks, professors, students and others to betray friends and associates; whether there is no other way to defend ourselves... than to institutionalize the surveillance of non-violent protest activity."

The participants in the conference questioned whether all surveillance should be

ended, or only that concerned with political dissent. There was a strong feeling, expressed by John Doar, former assistant attorney general for civil rights during the Kennedy administration, that the use of informants was necessary in protecting civil rights workers and combatting organized crime.

The use of wiretaps and electronic surveillance was the subject of another paper, prepared by Victor Navasky, author of "Kennedy Justice," and Nathan Lewin, a Washington attorney.

Navasky charged that there has been "a history of deceit, ambivalence and confusion within the government concerning bugs and taps," he said the use of "suicide taps," illegal wiretaps by FBI agents to obtain information without authorization from either the courts or FBI Director J. Edgar Hoover, was wide spread.

The FBI Conference, sponsored by Princeton's Woodrow Wilson School and the Committee for Public Justice, will end Saturday.

## \$519,000 Awarded in Suit for Libel

A six-member jury in U.S. District Court here yesterday awarded the Airlic Foundation and its executive director, Dr. Murdock Head, \$519,800 in libel damages against The Evening Star.

The jury, which deliberated early yesterday afternoon, awarded \$100,000 in damages to Dr. Head and \$419,800 to the foundation, which operates a large conference center called Airlic House in Warrenton, Va.

The case involved The Star's news coverage in September, 1967, of a news conference in which it was alleged that the foundation was secretly supported by the Central Intelligence Agency or other government agencies.

A few days later, The Star ran a "Statement on Airlic" that said, in part, "The editors of The Star, having examined the records of the Airlic Foundation, are persuaded that this institution is privately financed."

The judgement was one of the largest libel verdicts rendered by a jury in recent years, according to Washington lawyers.

STATINTL

## Airlie Wins Verdict Against The Star

The Airlie Foundation and its director, Dr. Murdock Head, yesterday won \$519,800 in libel damages against The Washington Star.

The verdict by a six-member U.S. District Court jury here called for an award of compensatory damages of \$100,000 for Head and \$419,800 for the foundation which runs a conference center in Warrenton, Va. No punitive damages were awarded.

U.S. District Court Judge Oliver Gasch, who presided over the six-day trial which ended Tuesday, gave The Star 10 days to file motions asking him to overturn the jury verdict, a standard procedure in civil cases.

### Conference Center

Airlie House, which is operated by the Airlie Foundation, is a 1,200-acre conference center located just east of Warrenton in Fauquier County, Va. It has been the scene of hundreds of conferences sponsored by public and private groups.

As developed in testimony at the trial, the case grew out of a Sept. 14, 1967, story in The Star reporting a charge by William Higgs that Airlie House was secretly supported by the Central Intelligence Agency, the State Department and the Pentagon.

It was testified that Higgs, a lawyer disbarred in Mississippi who has been a civil rights activist and a supporter of radical causes, made the charge at a press conference at which he issued a 10-page statement which he said supported the charge of covert ties between Airlie House and the governmental agencies.

### Airlie Opened Books

The story on Higgs' press conference, which included a denial by Head, founder and director of the Airlie Foundation, and by a

government source, appeared in the last edition of The Star on that day. A different version, stressing the denials, appeared in all but the last edition the next day.

Following the appearance of these stories, Airlie representatives opened their financial records to The Star to support their contention that the Higgs charge was without foundation. And on Sept. 18 and 19, The Star published a story reporting that a study of Airlie's books indicated that the institution was supported solely by private sources.

That story was accompanied by a statement that the editors of The Star were persuaded by the records that the foundation was privately financed and that "the foundation has demonstrated conclusively to them (the editors) that it is not, as charged last week, secretly supported by the Central Intelligence Agency or other government agencies."

In the trial, The Star contended that it was performing its role as a newspaper in reporting the Higgs charges. Evidence was presented to show the steps the story passed through—from reporter Robert Walters, who wrote it, through various editors, including Editor Newbold Noyes—before the decision finally was made to print it.

The Airlie Foundation contended that The Star and its editors failed to show proper regard for whether the story was true or false and, in fact, printed it even though they had reason to believe Higgs' charges were false.

Witnesses for Airlie presented evidence that as a result of The Star's original stories, the institution suffered financial losses resulting from the adverse publicity.

# Odyssey Among Spooks

By C. L. SULZBERGER

MONTE CARLO, Monaco — The Splendour of the cold war is the human spray blown hither and thither by ideological gusts. This is typified by dissidents who flee Communist lands in search of freedom, by draft dodgers seeking to escape the U.S. armed forces abroad, by American black revolutionists in foreign havens and by defectors from rival diplomatic or espionage establishments who for different reasons abandon their native lands.

One of the most puzzling of these instances is that of Jozef Szall, Hungary's senior career ambassador and most recently special adviser to his Foreign Minister. Szall fled Budapest last year, spent a considerable time under interrogation by Italian security representatives in Rome, where he had long been envoy, and early this year was flown to the United States by the Central Intelligence Agency whose voluntary guest he remained for weeks.

Szall, his wife and 12-year-old boy benefited from the hospitality of a C.I.A. safe house near Washington during which time the family acknowledges it was amiably treated. They visited Washington theaters and museums but were isolated from direct contact with friends or non-C.I.A. officials.

However, although the C.I.A. offered to facilitate the Szalls' permanent admission, the ambassador remained uncertain that he wanted to make the final leap. He still felt Hungarian and a "Socialist" if of a heretically liberal sort.

Therefore, with the intelligence agency's help, they flew back to Europe, stopping first in Switzerland. The Swiss security police immediately wanted a report on everything he had told Italian and American intelligence. When he refused they eased him out.

The Szalls then went to Vienna where they established telephone contact with various Hungarian officials as well as Budapest's Embassy in Austria. Somehow, by wishful thinking, they hoped they might still be forgiven and allowed to return home to an esteemed position.

Just why they should have cherished such a delusion is hard to fathom. While the Szalls were still refugees in

## FOREIGN AFFAIRS

odyssey, they attended a prearranged meeting in St. Peter's, Vatican City, and were almost kidnapped by the Hungarian "diplomatic representatives" whom they met. Alert Italian security agents apparently prevented their forcible removal.

Even before they transferred from an Italian safe house to an American safe house, Mrs. Szall's elderly parents in Budapest had been dispossessed of almost all their belongings and contact between the ambassador and his friends had ceased.

It was difficult to imagine that a term as guest of the C.I.A. would improve Szall's chances of advancement. Nevertheless, at first he was received by the Hungarian ambassador in Vienna and talked with officials by long distance telephone to Budapest.

Soon the freeze began, however, and Szall's curious dream of redefecting began to vanish. He demanded a safe conduct and a written amnesty. "What do you expect?" he was asked. "The red carpet treatment?" All doors closed.

At this point Szall decided to return westward. He had no wish to go back to Italy where the security apparatus didn't feel especially chummy following his departure from the hospitality of Rome spooks for that of Washington's.

Nor did he aspire to try so soon again to revisit the United States, which wouldn't have been easy anyway. He wanted a neutral corner; Switzerland was inhospitable; so he came to this little principality. Although Monaco is virtually a piece of France, it has its own flag and sovereign and no relations with any Communist states.

Szall, who now lives in a modest apartment here, is in no sense a major figure in the criss-crossing tide of humanity set in motion by Europe's East-West ideological cleavage.

Nevertheless, he is the highest-ranking Hungarian defector since the revolution that shook his country exactly fifteen years ago and perhaps the most distinguished political refugee to seek sanctuary here. More singularly, he is one of the few cases of a redefector, by intent if not by achievement, produced by the cold war.

MICRONESIA

STATINTL

# STAGING AREA IMPERIALISM

**STEPHEN CONNOLLY and PETER SHAPIRO**  
*Mr. Connolly, formerly on the editorial staff of Journal of Contemporary Revolutions (San Francisco State College), is now working with William Lightbourne on a book to be called The Politics of U.S. Counterinsurgency. Mr. Shapiro is co-author of An End to Silence (Bobbs-Merrill), a history of the San Francisco State College strike.*

"I want every wave in the Pacific to be an American wave," former Secretary of State Dean Rusk was once quoted as saying. Rusk might well have had Micronesia in mind. Spread out over an expanse of the western Pacific larger in area than the continental United States, this group of tiny islands has, in the last 100 years, been occupied by a succession of colonial powers—Spain, Germany and later Japan; after World War II another expanding empire, the United States, stepped into the void left by the defeated Japanese. All but oblivious to the existence of Micronesia, many Americans will recognize the names of specific islands within the group. World War II veterans remember Saipan, Kwajalein and Peleliu; for the nuclear generation, Bikini and Eniwetok come immediately to mind. And Americans who have never heard of the geographical entity to which these specks in the Pacific belong should go back to their school maps, for the Nixon Administration is turning the area into a military arsenal and training center for its Project AGILE Pacific Defense System.

Micronesia became an American "protectorate" in 1947, under a unique arrangement of the United Nations Trusteeship Council which invested the United States with full responsibility for the islands' economic, social and political development, full authority over their internal affairs, and permission to build military installations, conduct nuclear explosions, and generally use them as a buffer against powers in the Far East which long ago ceased to be hostile. Technically, the arrangement was provisional, it being assumed that eventually the Micronesians would be "ready for self-government." Their murky political status as a U.S. "trust" was underlined when Washington, anxious to avoid a colonial blemish, handed the job of administering the territory over to the Department of the Interior—which, for its part, followed a policy of "benign neglect" reminiscent of the behavior of its Bureau of Indian Affairs. Before 1964, the trusteeship proceeded on a shoestring budget that never exceeded \$7 million, half of which went to pay the salaries of Interior Department personnel. The Defense Department's Micronesia budget for nuclear tests alone exceeded the combined State Department and Interior Department budgets by more than \$1 million; not surprisingly, the DOD wound up making most of the important administrative decisions—including the forced evacuation of residents in the Marshall Islands group to make way for a series of thermonuclear explosions which nonetheless exposed the islands to serious levels of radiation and con-

aminated most of their food supply. "Social and economic development" remained almost moribund as the territorial administration, fearful of "outside influences" that might undermine U.S. control, enforced a near-total quarantine on foreign trade. At least one Micronesian died and many others were disabled by live bombs which the United States never bothered to remove after World War II.

By 1964 this blatant mismanagement succeeded in provoking a Trusteeship Council investigation, the upshot of which was a resolve by the investigators to come back again in three years to determine what changes, if any, had been made. The prospect that the United States might be stripped of its trusteeship if conditions on the islands did not significantly improve could not be taken lightly, particularly because of secondary effects stemming from recent escalation of the war in Vietnam. The Japanese leftists had responded to that development by stepping up their attacks on the Japanese-American Mutual Security Pact, which in 1960 had been extended for ten years. Fearing that the pact might not survive beyond 1970, United States policy makers were even more apprehensive lest sizable U.S. investments inside Japan be threatened by rising political instability there. To appease the Japanese, Washington began giving serious consideration to the idea of abandoning its base on Okinawa, itself the scene of growing anti-American demonstrations. What was needed was a site of comparable strategic value to which the Okinawa operation could be transferred. Thailand and South Korea were too close to enemy territory; the political situation in the Philippines was already too volatile. Micronesia was another story. Not only was it out of reach of Chinese and Soviet medium-range missiles; but if the United States could maintain the kind of control over the islands' internal affairs that it had once enjoyed, the political results of operating a military outpost there could be held to a minimum.

The impending U.N. investigation posed an immediate and irritating stumbling block to these designs. President Johnson and his advisers were well aware of the need to engage in some housecleaning in Micronesia before the investigators arrived; at the same time, they knew that if the Micronesian people could be prevailed upon to enter into a *voluntary* association with the United States, all U.N. authority in the matter would end. In 1966, without waiting for the customary invitation from the host nation, Mr. Johnson dispatched a contingent of Peace Corps volunteers to the islands, hoping simultaneously to mollify the U.N. and to persuade the natives that a permanent "free association" with the United States really was in their best interests. Most of the volunteers promptly busied themselves with land management, teaching (usually English or American history) and "community development."



# Spies: Foot Soldiers in an Endless War

OUTSIDE London's Marlborough Street magistrates' court one morning last week, a throng of newsmen waited impatiently. The object of their interest, an ostensibly minor Soviet trade official named Oleg Lyalin, 34, failed to show up to answer the charges against him—"driving while unfit through drink." He was resting instead in a comfortable country house near London where, for the past several weeks, he had been giving British intelligence a complete rundown on local Soviet espionage operations. His revelations prompted the British government two weeks ago to carry out the most drastic action ever undertaken in the West against Soviet spies: the expulsion of 105 diplomats and other officials—nearly 20% of the 550 Russian officials based in Britain.

The case generated waves from Moscow to Manhattan. As soon as Soviet Party Leader Leonid Brezhnev returned to the Soviet capital from his three-day visit to Yugoslavia, he took the extraordinary step of convening an emergency meeting of the 15-man Politburo right on the premises of Vnukovo Airport. The high-level conference, which forced a 24-hour delay of a state dinner in honor of India's visiting Premier Indira Gandhi, might have dealt with the still-mysterious goings-on in China. But it might also have dealt with the difficult problem of how the Kremlin should react to the unprecedented British expulsions—a problem that Moscow, by week's end, had not yet solved.

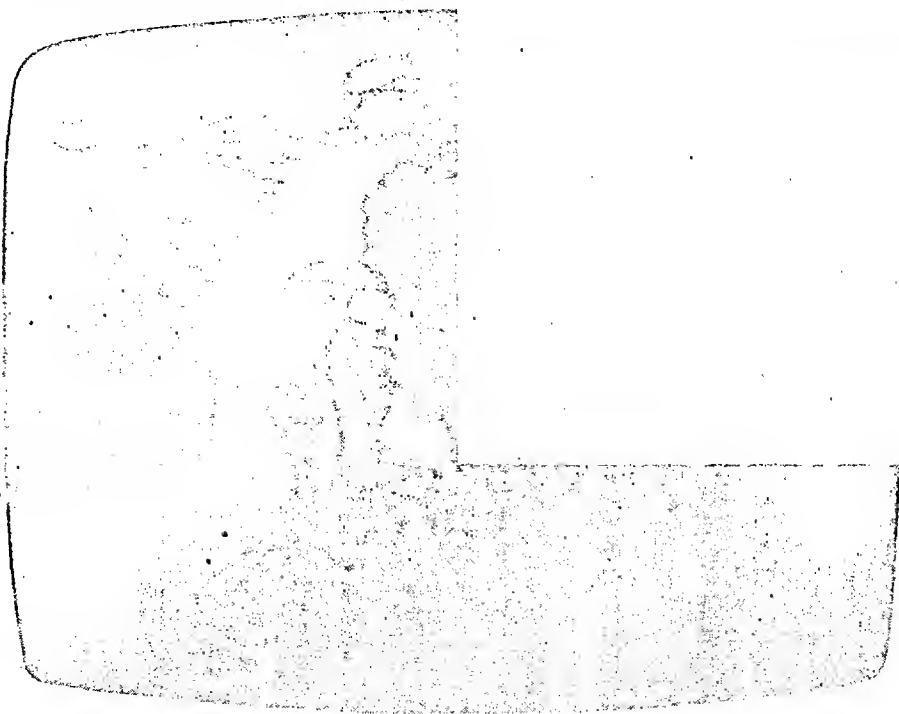
## Potato-Faced Fellows

In Manhattan, British Foreign Secretary Sir Alec Douglas-Home spent 80 minutes with Soviet Foreign Minister Andrei Gromyko. "We have taken our action," said Sir Alec, "and that's all there is to it." Nonetheless, he emphasized that the British step was "designed to remove an obstacle to good relations." Harrumphed Gromyko: "That's a fine way to improve relations." He added that Moscow would be forced to retaliate. But the British apparently knew of some spies among the remaining 445 Russians in Britain. "Yes," said a Foreign Office man, "we have retained second-strike capability."

The British case dramatized the expanse and expense of espionage activity round the world. It was also a reminder that the old spy business, which has received little attention in the past three or four years, is as intense—and dirty—as ever, despite the rise of a new type of operative. Since World War II, espionage has undergone a metamorphosis. For a time, its stars were the famed "All-Top" or "All-Top" agents—the Colonel Abels, the Gordon Lonsdales, the Kim-Philbys. Says British Sovietologist Robert Conquest:

embassy operations rather as a skilled armored thrust compares with human-wave tactics in war." Moreover, the growing phalanxes of routine operatives are supported by spy-in-the-sky satellites that can send back photographs showing the precise diameter of a newly dug missile silo. But even as the modern army still needs the foot soldier, so does espionage still need the agent on the ground. "A photograph may show you what a new plane looks like," says a key intelligence expert, "but it won't tell you what's inside those engines and how they operate. For that you still need someone to tell you."

Eric Ambler, author of spy mysteries, has little use for the new species of



BBC FILM SHOWING SOVIET "DIPLOMAT" AT SECRET PICKUP POINT

*There was still a roar in the old lion.*

spy, particularly the representatives of the *Komitet Gosudarstvennoi Bezopasnosti* (KGB), the Soviet Committee for State Security, and the U.S. Central Intelligence Agency. "KGB men?" he sneers. "They're the potato-faced fellows you see on trains in Eastern Europe wearing suits that aren't quite right and smelling too much of eau de cologne. The CIA people all smell like after-shave lotion. They always look as if they are on their way to some boring sales conference for an unexciting product—and in a way, they are."

In one respect, Ambler is unfair and behind the times. The contemporary KGB man is generally far more polished, more sophisticated, more accomplished in foreign languages and manners than his counterpart of a few years ago. But Ambler is right in

liberately misleading, planted by departments of "disinformation."

It is work that occupies tens of thousands of mathematicians and cryptographers, clerks and military analysts, often with the most trivial-seeming tasks. Yet it is work that no major nation feels it can afford to halt. Says a former British ambassador: "We all spy, of course, more or less. But the Russians are rather busier at it than most. They're more basic too: not so subtle as our chaps. I like to think that we have a certain finesse in our methods—that we don't go at the thing bull-headed. But maybe our tasks are different from theirs, just because this country is so wide open."

What open or not, there remains the question, in Eric Ambler's words: "What on earth has the KGB got to spy on in



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## THE CIA—An Attack and a Reply

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A FORMER STAFF OFFICER  
CRITICIZES CIA ACTIVITIES

STATINTL

Is the CIA starting to spy on Americans at home—turning talents and money against students, blacks, others? That is one of several key questions raised in a wide ranging criticism. A direct response starts on page 81.

STATINTL

## THE ATTACK

The following was written by Edward K. DeLong of United Press International, based on an interview with a Central Intelligence Agency official who has resigned. The dispatch was distributed by UPI for publication on October 3.

Victor Marchetti embarked 16 years ago on a career that was all any aspiring young spy could ask. But two years ago, after reaching the highest levels of the Central Intelligence Agency, he became disenchanted with what he perceived to be amorality, overwhelming military influence, waste and duplicity in the spy business. He quit.

Fearing today that the CIA may already have begun "going against the enemy within" the United States as they may conceive it—that is, dissident student groups and civil-rights organizations—Marchetti has launched a campaign for more presidential and congressional control over the entire U. S. intelligence community.

"I think we need to do this because we're getting into an awfully dangerous era when we have all this talent (for clandestine operations) in the CIA—and more being developed in the military, which is getting into clandestine "ops" (operations)—and there just aren't that many places any more to display that talent," Marchetti says.

"The cold war is fading. So is the war in Southeast Asia, except for Laos. At the same time, we're getting a lot of domestic problems. And there are people in the CIA who—if they aren't right now actually already running domestic operations against student groups, black movements and the like—are certainly considering it.

"This is going to get to be very tempting," Marchetti said in a recent interview at his comfortable home in Oakton, [Va.], a Washington suburb where many CIA men live.

"There'll be a great temptation for these people to suggest operations and for a President to approve them or to kind of look the other way. You have the danger of intelligence turning against the nation itself, going against the 'the enemy within.'"

Marchetti speaks of the CIA from an insider's point of view. At Pennsylvania State University he deliberately prepared himself for an intelligence career graduating in 1955 with a degree in international studies and history.

Through a professor secretly on the CIA payroll as a talent scout, Marchetti netted the prize all would-be spies dream of—an immediate job offer from the CIA. The offer came during a secret meeting in a hotel room, set up by a stranger who telephoned and identified himself only as "a friend of your brother."

Marchetti spent one year as a CIA agent in the field and 10 more as an analyst of intelligence relating to the Soviet Union, rising through the ranks until he was helping prepare the national intelligence estimates for the White House. During this period, Marchetti says, "I was a hawk. I believed in what we were doing."

Then he was promoted to the executive staff of the CIA, moving to an office on the top floor of the Agency's headquarters across the Potomac River from Washington.

For three years he worked as special assistant to the CIA chief of plans, programs and budgeting, as special assistant to the CIA's executive director, and as executive assistant to the Agency's deputy director, V. Adm. Rufus L. Taylor.

"This put me in a very rare position within the Agency and within the intelligence community in general, in that I was in a place where it was being all pulled together," Marchetti said.

"I could see how intelligence analysis was done and how it fitted into the scheme of clandestine operations. It also gave me an opportunity to get a good view of the intelligence community, too: the National Security Agency, the DIA (Defense Intelligence Agency), the national reconnaissance organization—the whole bit. And I started to see the politics within the community and the politics between the community and the outside. This change of perspective during those three years had a profound effect on me, because I began to see things I didn't like."

With many of his lifelong views about the world shattered, Marchetti decided to abandon his chosen career. One of the last things he did at the CIA was to explain to Director Richard Helms why he was leaving.



Mr. Marchetti

Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2

Continued

8 OCT 1971

## CIA Closes School After Drug Arrest

PHNOM PENH (UPI) — The U.S. Central Intelligence Agency closed a secret school for training Cambodian army guerrillas in Laos when police arrested a high-ranking Cambodian officer at the school on heroin-smuggling charges, military sources said.

The officer was a top aide of Lt. Col. Lon Non, brother of Prime Minister Lon Nol, the sources said.

Since his arrest in June, the aide has been released and, dressed in civilian clothes, has resumed duties in Phnom Penh at Lon Non's super-secret Special Coordination Committee.

The Cambodian army, in the meantime, has established a new guerrilla training center in southern Laos, and the CIA is once again considering providing American instructors and equipment, the officers said.

The Lon Nol aide was arrested in Pakse, Laos, by local police when he attempted to board a Phnom Penh-bound Air America plane with 22 pounds of heroin in a soapflake box, the sources said.

The heroin would be worth almost \$12,000 on the Vietnam market.

American officials were informed, and concluded after investigation that the heroin was bound for U.S. troops in South Vietnam.

The secret CIA camp, at Nakorn Sin in southern Laos, subsequently ordered out all Cambodian officers and trainees from Lon Non's 15th Infantry Brigade, the officers reported.

STATINTL

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Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2

## WAR OF WORDS

# The House in the Alley: CIA 'Ears' in Asia

BY JACK FOISIE  
Times Staff Writer

BANGKOK—In a strange house in an alley off Soi 39 (39th St.) here, the U.S. Central Intelligence Agency produces documents that quite often end up in the hands of fishmongers as wrapping paper.

The house, with faded green walls, red-tiled roof and surrounded by a corrugated tin fence of forbidding height, is conspicuous by its shabbiness in an otherwise reasonably manicured neighborhood.

It is also conspicuous by the abnormal number of antennas it sprouts.

It is the regional office of an American government agency blandly identified as the Foreign Broadcast Information Service, or FBIS.

Under its roof, approximately 20 American-employed foreign nationals monitor the outpouring of enemy and friendly news and propaganda broadcasts originating in eight Southeast Asia nations.

Supervised by a handful of Americans, the spew of words is recorded and translated into English. The process turns the clutter of 14 languages and dialects gathered from the air waves into a digestible product to be read by FBIS clients.

### Detecting Political Trends

The clients are mostly Americans—Asian political specialists and military men assigned to intelligence duties. They read the FBIS reports to detect trends, alterations in political positions, and the rise and fall of leaders in Asian countries.

For the monitors, working around the clock in three shifts, listening to the diatribes or oily persuasion broadcasts can be deadeningly dull. Much of the propaganda is repetitious in theme, and is meant to be.

But there can also be moments of exhilaration for even the most jaded monitor. Recently, a "Prince Sihanouk" broadcast came on the air, but the FBIS specialist reacted almost immediately that the voice was fake.

The deposed Cambodian monarch, now living in Peking, has been a standout performer in propaganda work for the Chinese Communists. Had he died? Had the Chinese cut him off the air?

### Intercepted Own Broadcast

It was later learned—much to the embarrassment of FBIS Americans—that the bogus Sihanouk voice had really come from an American-financed Cambodian government station.

With such goings-on, it seems surprising that the daily FBIS summary of "significant" broadcasts is not a secret document. But it is one of the few products of the CIA, of which FBIS is a part, that is not stamped secret.

"We are the straight-forward outfit in the agency," an FBIS employee explained.

While other CIA sections monitor certain types of coded enemy—and sometimes friendly—radio traffic, FBIS eavesdrops on programs that peasants are hearing over a communal radio, and soldiers in barracks or in bivouac are listening to ex-transistorized sets. That explains why the monitoring is not considered a classified project.

Not that the bulky stapled sheaf of blue-ink summaries is available to just anyone. But copies of the daily

report can be begged, borrowed or purloined. In Vientiane, the Lao capital where both sides in the Indochina war have diplomats, FBIS is "must" reading in every embassy.

Eventually the discarded FBIS copies end up in the market place, where peddlers use them to wrap fish.

The FBIS distillation of Southeast Asia's war of words is probably most eagerly read by military briefers, who must put pins on maps and inform their generals of daily combat action. While enemy radio broadcasts describing "great victories" are read with a jaundiced eye, their exaggerations are sometimes no greater, one officer admitted, than what the friendly governments of Laos, Cambodia and Thailand are reporting about the same actions.

"By having both versions, we're in a position to judge what really happened," he explained.

### First Reports

In times of turmoil, weakly powered clandestine stations often give the first reports as to whether a government has fallen, or a secessionist movement is still viable. The East Pakistan "Bengla Desh" movement was more active on radio than in battle the first few months.

The FBIS station on Okinawa, which devotes its main effort to monitoring the radios on the Chinese mainland, has the added responsibility of "cruising." Patient operators "twirl the dial" on all possible wave bands and frequencies to detect new radio stations, be they but a gasoline-powered "one-lung" transmitter set in the jungle.

Diplomatic feelers are sometimes first voiced, or replied to, on clandestine radios. For a year, the allied-backed Lao premier, Prince Souvanna Phouma, and his half-brother Prince Souphanouvong, leader of the Communist Pathet Lao, have been making peace proposals. Souphanouvong, often as not, has been voicing his ploys through a pair of Lum-and-Abner "uncles," Hak and Sat, who hold a 30-minute conversation over clandestine Radio Pathet Lao every Sunday morning.

### Folksy Chat

A folksy chat, or a slightly risque sing-song exchange, is standard entertainment in Laos. To assure an audience, the Pathet Lao make most of their propaganda points to the people in these forms.

Uncle Hak and Uncle Sat discussed Souvanna Phouma's latest peace offer in a broadcast recently. Recorded and translated by FBIS, the Mutt-and-Jeff dialog included this portion:

Hak: Prince Souvanna Phouma's letter to Prince Souphanouvong this time is not different from the previous ones. That is, it avoids coming to grips

STATINTL

15 Sept 1971



HENRY J. TAYLOR

## Big Brother Is Growing

If you wonder what has happened to our citizens' privacy, listen to a summary I have just completed. Incredible? One would have thought so. Impossible? One would have hoped so. Unfortunately, it is the squalid truth. Here are the ugly facts:

More than 2,600 computers are now working away -- clank, clank, clank -- in Washington. They have a full-time potential of supplying a stack of records 2,000 miles high every year. About 250,000 -- yes, 250,000 -- government employees are chiefly involved with filling the paper into cabinets. These cabinets cover 25 million cubic feet of floor space. That's more than 12 times the entire rentable floor space in the vast 102-story Empire State Building -- only for the filing cabinets. The executive branch alone has two million.

Yet the government is now installing additional data-processing computers at the astounding rate of 500 a year -- with an emphasis on piling up information about our citizens.

"PRIVACY," SAID late, great Prof. Clinton Rossiter, "is an unbreakable wall of dignity against the entire world." But start with your income tax declaration -- probably the most private, intimately revealing thing demanded of citizens. Nearly 80 million of us taxpaying peasants filed these with the Internal Revenue Service this year. The declarations started out to be inviolate. Today, largely unknown to the 80 million, that essential privacy is a mere charade.

Twenty-three federal agencies now have direct access to our citizens' income tax returns for an official total of 100 reasons.

Do not hold the IRS responsible for this. It has fought intrusions tooth and nail. But outside agencies have contrived their intrusions to the IRS's utter dismay.

WITH THE 100 REASONS available to the 23 agencies, what an outrageous opening for scattered bureaucratic insiders. And what an opportunity for crooks, pressure boys, spite artists in your neighborhood, political opponents of men in public life, business rivals and others who can quietly get your declaration by cozy relationships, bribery and other means.

The last census, which is still in the data-processing computers, was not a count of our population, as the Constitution demands. It was, instead, a systematic penetration of our privacy,

undoubtedly useful but expanded nevertheless in accord with the over-all invasion -- this worm in the American apple.

The Civil Service Commission, on inquiry, replies that, yes, it now does compile "lead information relating to possible questions" that might come up about countless people. So does the Post Office Department. So does the Department of the Interior. Ridiculously, even the elephantine Interstate Commerce Commission, to our country's shame, gets into this intrusion on such a scale that maybe the ICC should give up its true function entirely and just go into the business of building libraries for itself.

THE PENTAGON ADMITS it has dossiers on 20 million Americans outside the armed forces. Its data bank also keeps files on 7,500 organizations, if you can conceive of that many. In fact, the Pentagon admits that it processes an average 1,200 requests a day for undisclosed information.

The Justice Department lists 13,200 names of persons known to have urged violence. And there are, of course, the vital files of its investigative agency, the FBI.

The Secret Service has compiled on its own a colossal file of what it tells me are "persons of interest." These include those whose only bid for Secret Service attention is their criticism of government policies.

THE Central Intelligence Agency's personal information files are top secret -- and tremendous. The CIA has jurisdiction only abroad, not in the United States. Nevertheless, the CIA maintains secret offices in a score of U. S. cities totally unknown to our public.

Big Brother's intrusion into our American life is not new, nor is its incredible undercover, unveiled expansion schemed and planned in the sense of a sinister design. Actually, it's a drift, like a spreading cancer is a drift. And, behind the scenes today's electronic technological advances are spreading the drift on a scale that should frighten our public out of its boots.

These advances allow Big Brother to acquire, store and use tremendous files of information Big Brother collects on us with a correlation and speed which completely changes the potential for the invasion of privacy. And how long can this hidden prostitution of our intended government continue without wrecking every democratic concept in our democratic system?

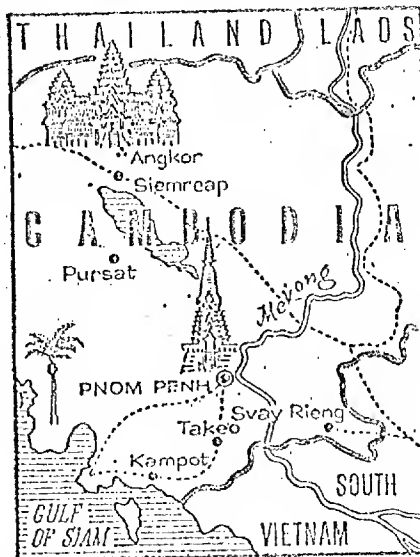
## AROUND THE WORLD

I. ANDRONOV

## PROVING GROUND

## FOR THE GUAM

## DOCTRINE



CAMBODIA is a comparatively recent victim of American imperialist aggression in Indo-China—U.S. forces invaded it only last year. The political prologue, it may be said, was the Guam doctrine—the new course in Asia proclaimed by President Nixon two years ago at the U.S. air force base in Guam. As put by Nixon himself, the point of this doctrine is that the United States must play a substantial role in Asia but would like the problem of war and the responsibility for it to be assumed in ever greater degree by the Asian countries themselves. In the opinion of many Asian public leaders and publications the veiled meaning of this is that Washington wants to "pit Asians against Asians," that is, to have its war in Asia fought by others in the selfish interests of the U.S. ruling element. The tempestuous events of the

last eighteen months in the once tranquil country of Cambodia offer a classic example of how this is worked in practice.

## YANKEES IN PNOM PENH

Washington makes no secret now of its massive bomb strikes against vast areas of Cambodia, but all its other military operations against Cambodia's patriotic forces are painstakingly camouflaged by its official representatives in the Cambodian capital. This summer, for instance, quite a few groups of American servicemen were flown into Pnom Penh from Saigon, but in each case they were dressed as civilians. Thus "camouflaged," the visitors were then deposited in various parts of the country by U.S. Embassy helicopters. This operation, directed by the Pentagon and the CIA, is kept secret from American and world public opinion. What is more, it is conducted in defiance of the ban imposed by the U.S. Congress on American land operations in Cambodia. But in Pnom Penh itself, it is widely known that the Pentagon's "special forces" units—the notorious Green Berets—systematically make raids deep into the interior of guerilla areas. Very often they disguise themselves as insurgents. The Green Berets carry out sabotage and terrorist missions in the guerilla areas and pick targets for U.S. bombers.

American army planes can be seen daily in the Pnom Penh airport though their presence is partly concealed: the identification marks on some of the planes have been painted over. Last January guerillas blew up a few American planes in the airport and since then the building has remained half in ruins. The surviving part is roofless and its windows are gaping holes. The wind blows through it freely and the floor is strewn with rubble and plaster. But out on the airfield American military transports and sharp-nosed fighters again come and go.

The road from the airport to the capital is blocked off every three hundred metres by empty petrol barrels, so that no car can speed past. Near these roadblocks are stationed groups of soldiers equipped with American quick-firing rifles and field telephones, and wearing American green tropical uniforms and helmets.

In the city there are coils of barbed wire everywhere. The barbed wire is strung on poles right on the sidewalks in front of all government buildings—whether a post office or a ministry. The more important the office, the more wire there is in front of it. First place is taken by the Defence Ministry: the street it stands on is covered with rows of it, and at its walls are piles of sandbags behind which soldiers stand, by ready to man machine-guns. There are also machine-gun nests at the gates of nearly all government offices. From time to time people calling at them are carefully searched at gun-point. At the press centre a representative of the military command cautions journalists that it is risky to take photographs in the streets—a nervous soldier may open fire without warning. A state of emergency has been declared in the capital, for guerilla units have surrounded it and by night approach its suburbs. No one may enter the city after sunset; all roads are blocked by government soldiers who huddle fearfully around the American M-113 armoured cars placed at their disposal.

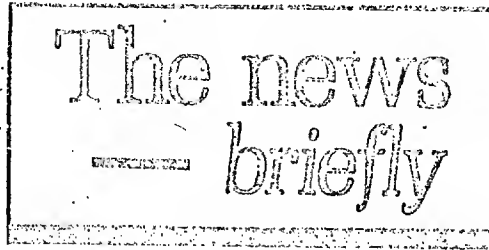
Artillery batteries have been mounted even in the centre of the city, on the Mekong embankment, their guns trained on the opposite bank from which guerillas sometimes open up fire with mortars and mobile rocket launchers. From time to time they even blow up a munitions dump right in the city or shower hand grenades on picked targets, such as the Saigon mission. After one such attack the South Vietnam ambassador landed in hospital. A guerilla attack on the arsenal in June caused an explosion of such force that the flames rose 120 metres and the surrounding streets were showered with shell and mine fragments mixed with stone and rubble.

From a white four-storey building on the corner of one of the Pnom Penh boulevards and Avenue Mao Tse-tung, near the Mekong embankment, hangs the American flag. This is the American Embassy building and the Americans occupying it are jestingly called "the Yankees from Mao Street." Recently, though, the street was renamed—either at the request of the American diplomats or because of the change in the political climate of the Cambodian capital.

The American Embassy in Pnom

continued

17 AUG 1971



### CIA loses land for park

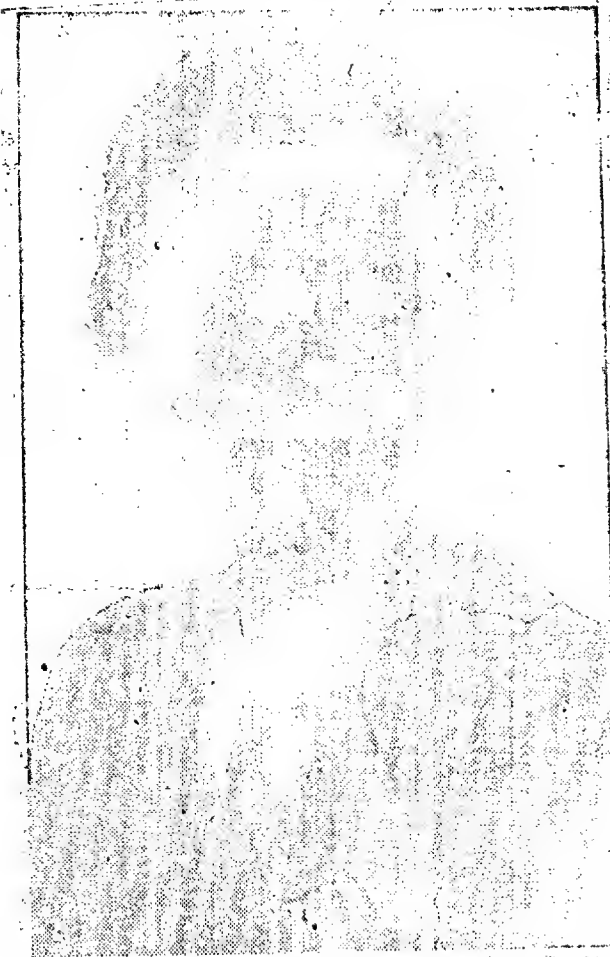
McLean, Va,

The Central Intelligence Agency lost its private baseball field as First Lady Pat Nixon officially turned over 230 acres of federal property nine miles from downtown Washington to the National Park service for public recreational use. It was the first stop on a five-state, cross-country trip Mrs. Nixon is making to transfer some 4,200 acres of government land, worth \$10.5 million, to public use, under a program called Parks to the People.

NEWARK, N.J.  
STAR-LEDGER

M - 238,123  
S - 410,877

DEC 17 1974



Associated Press Wirephoto  
Mrs. Richard M. Nixon participates in National Park Service ceremony in McLean, Va.

## Pat strikes out CIA

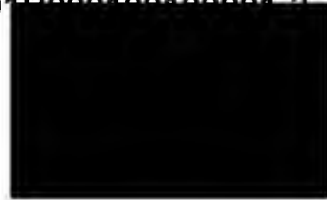
McLEAN, Va. (AP) — The Central Intelligence Agency lost its private baseball field yesterday as First Lady Pat Nixon officially turned over 230 acres of federal property nine miles from downtown Washington to the National Park Service for public recreational use.

It was the first stop on a five-state across country trip Mrs. Nixon is making to transfer about 4200 acres of government land, worth \$10.5 million, to public use.

She said it was "sea-bwarming" to know that the Virginia land, near the Potomac River, will be available for metropolitan Washingtonians to enjoy the beauty of nature. About 600 people turned out for the ceremony.

The CIA has been using the baseball diamond as its private preserve and now will have to share it with the public.





UNION CITY, N.J.  
HUDSON DISPATCH

AUG 17 1971  
M - 55,356

The Central Intelligence Agency lost its private baseball field yesterday as First Lady Pat Nixon officially turned over 230 acres of federal property nine miles from downtown Washington to the National Park Service for public recreational use.

It was the first stop on a five-state, cross-country trip Mrs. Nixon is making to transfer some 4,200 acres of government land, worth \$10.5 million, to public use.

## Mrs. Nixon's 5-State Tour

Mrs. Richard Nixon will officiate in the transfer of government property to cities, counties and states under the "Legacy of Parks" program next week. She will visit Virginia, Michigan, Minnesota, Oregon and California beginning in McLean on Monday and ending Wednesday in San Clemente, Calif.

The program was established to convert federal property to recreational and park use, and Mrs. Nixon will view the lakes, trails and camping sites which have been established. In

McLean, 230 acres near the George Washington Memorial Parkway will be turned over to the National Park Service by the Department of Transportation, and used for sports, picnicking and bicycling.

Monday afternoon, Mrs. Nixon will go to Michigan, where part of Fort Custer Military Reservation is being transferred.

Tuesday, she will see Fort Snelling, Minn., where a golf course and polo field will be part of the new public usage of the military land.

E - 592,616  
S - 827,086

AUG 8 1971

# CIA losing its veil of secrecy

By GEORGE KENTERA  
News Washington Bureau

WASHINGTON—Since it opened in the late 1950's, the headquarters of the super-secret Central Intelligence Agency (CIA) in nearby Virginia has been screened from public view by a border of woodland.

That screen is soon to be lost. The land is to be developed by the National Park Service for camping, hiking and picnicking. And even as CIA headquarters itself becomes more visible, an effort is beginning in Congress to open a window on the CIA activities within the building.

These developments on Capitol Hill point up the effort:

1. The troubled reaction of some Senate members to the disclosure last week that the CIA and the United States were more deeply involved in a clandestine military action in Laos than was heretofore publicly known or believed.

2. The appointment of an anti-war Michigan congressman, Rep. Lucien N. Nedzi, Detroit Democrat, the chairmanship of a special House subcommittee on intelligence, and his hope of staging open hearings on the CIA.

3. Action in Congress, already halfway through the legislative process, to put a halt to secret CIA financing of Radio Free Europe and Radio Liberty, which beam news behind the Iron Curtain.

NO MEMBER OF CONGRESS asks that the operations of the intelligence agency headed by Richard Helms be an open book. But some members are miffed about the unwillingness of the executive branch to share more information with Congress and the CIA is part of the irritant.

Helms himself recognizes this situation. In dealing with it, he went so far last April as to make a public speech, his first as CIA director, outlining his views.

He firmly denied that his agency was a law unto itself or an invisible government, "engaged in provocative covert activities repugnant to a democratic society and subject to no controls."

The CIA is directly responsible to the National Security Council. But the agency long has contended that it is responsive to Congress as well because of its briefing to an informal group composed of some members of the Armed Services and Appropriations committees.

In his public speech here to members of the American Society of Newspaper Editors, Director Helms argued that this informal congressional group is "told more about our activities and our operations than is known to most of the personnel in our highly compartmentalized agency."

He added, "But how, in the end, we are to be supervised is for Congress itself to decide."

However, some members of Congress do not feel, despite the informed briefings, that procedures exist that make the CIA at least partially accountable to Congress.

NEDZI SAID THE OTHER DAY, "My feeling is that the old subcommittee (the informal group) served more as a vehicle for the Chief Executive, to enable him to say he had consulted and advised Congress. But I'm not aware that there has been any congressional oversight of the CIA... I think it important that the window be opened a bit."

He said later, "Everybody appreciates that elements of restraint are involved. The difficulty is in drawing that line between the national security and public disclosure."

The effort to focus more attention on the CIA is part of a trend in recent years toward more public disclosure by the Congress.

This trend has seen public reporting of congressmen's net worth and income, liberalized rules in House and Senate, the adoption of recorded teller votes in the House, reform of campaign spending and reporting of that spending, and a move toward more open hearings of congressional committees.

Publication of a Senate Foreign Relations Committee staff report on Laos last week indicated that CIA-supervised troops numbering more than 30,000 were actually bearing the brunt of the combat against the enemy in Laos.

IT BECAME KNOWN last week that the report had led Senate Majority Leader Mike Mansfield, Montana Democrat, to call an extraordinary secret session of the Senate June 7.

A transcript of that session was placed in the Congressional Record last Wednesday and it showed that the Nixon administration was accused of withholding information and misleading Congress about growing American involvement in the Laotian war.

Senator Stuart Symington, Missouri Democrat, told the Senate that U.S. military assistance to Laos had trebled since 1967 and was now 25 times as great as when it began in 1963.

"We have been appropriating money for this war in the blind," he said.

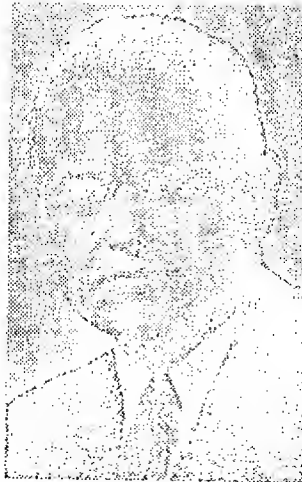
As for Nedzi, he said the Laotian disclosures suggest "there may be a need for legislation in this area, to restrain the CIA from becoming involved in this kind of thing."

"I can understand how it happened," he said, "but I can't justify in my own mind how it happened without Congress being aware of it."

As for Radio Free Europe, which broadcasts to Eastern Europe, and Radio Liberty, which broadcasts to Russia, the Senate has approved legislation providing \$35 million in fiscal 1972 for "open funding" of the stations, thereby eliminating, if the bill passes the House, funding by the CIA.

"The Senate has clearly shown," said Senator Clifford P. Case, New Jersey Republican and the bill's sponsor, that it will no longer abdicate its responsibilities in allowing the executive branch to pay out \$35 million a year (to the stations) without congressional authorization.

For 20 years the payments were made by the CIA.



REP. LUCIEN NEDZI

6 Aug 1971

Approved For Release 2001/03/04 : CIA-RDP80-01601R000100001-2

# The CIA foiled again

American Intelligence faked a broadcast in Prince Sihanouk's voice in its latest attempt to regain influence in Cambodia: T. D. ALLMAN reports from Phnom Penh on the dangerous rivalry between the CIA and the American State and Defence Departments.

WHILE the armies of Phnom Penh and Saigon fight the forces of Hanoi for control of Cambodia, another war is being fought for the same territory by another set of allies against another infiltrator from the north. The other co-belligerents are the American Departments of State and Defence — like Cambodia and South Vietnam, hardly natural allies. The invader that has brought them together, to use President Nixon's phrase, is the Central Intelligence Agency.

The CIA, like the North Vietnamese, were supposed to have been deprived of their Cambodian enclaves last year, about the time of the US-South Vietnamese invasion, when the White House ordered that the post-invasion US rôle in Cambodia be as above-board as possible. Both criteria seemed to rule out the CIA, but both the North Vietnamese and the CIA keep trying to encroach on Cambodia from their secret outposts in southern Laos.

Whereas Hanoi's South Laotian base is known as the Ho Chi Minh Trail, the CIA's is called the "Annex." It is a white, multistoreyed building in the Laotian Mekong river town of Pakse. The building looks like every other building in Pakse — except that it has no windows, is covered with antennae instead of tropical vines, and can be entered only by playing the right combination on an electronic keyboard lock.

The CIA's latest Cambodian incursion recently was limited by an enterprising, Phnom Penh-based American correspondent named Boris Baczynski, who discovered nothing less than a CIA plot to synthesise Prince Norodom Sihanouk's inimitably squeaky voice, and broadcast it over the border into Cambodia. The venture was not only an attempt to discredit the Prince by putting embarrassing words into his mouth, but also a

few Cambodian hearts and minds from the State and Defence departments.

Unfortunately for the CIA, Baczynski, a Khmer-speaking ex-Peace Corps Volunteer, noticed a considerable difference in the words of Sihanouk as beamed over Radio Peking, and the statements attributed to him by the Phnom Penh Government. After months of checking, he verified the existence of the clandestine Pakse Radio, and established the identity of its operators.

## Unsuccessful

Baczynski's discovery, however, was more than a journalistic coup. It revealed the latest in a series of failed CIA attempts to maintain cover for its Cambodian operations, which are bitterly resented by the foreign service and military officers who predominate here. The agency, in fact, has been trying rather unsuccessfully to regain a piece of the Cambodian action ever since 1963, when Prince Sihanouk sent the US aid mission packing, which had served as the agency's main Cambodian cover.

The Green Beret scandal in Vietnam, for example, grew out of a CIA order to eliminate with extreme prejudice one of its Cambodian operatives. The agency also supported anti-Sihanouk insurgents, even when the State Department was trying for a Cambodian rapprochement in the late 1960s.

Several times burned, the State Department, when it resumed diplomatic relations with Cambodia in 1969, tried to make sure there would be no CIA agents in the embassy woodpile. Even now, ostensibly, there is no CIA component at all in the 100-man US mission in Phnom Penh.

Never daunted, the CIA has kept up its efforts to develop its own Cambodian infiltration routes. Early last year, while the US was

ing to stay out of the Cambodian political crisis, the Agency, unbeknown to the diplomats, relayed promises of support to the anti-Sihanouk faction. And as soon as the Cambodian war broke out, Agency-run teams of Laotian mercenaries began ranging down into Cambodia on "intelligence patrols," which the Pakse station hoped would be the landing parties for a whole CIA-run Clandestine Army in Cambodia.

The American sibling rivalry, which might otherwise be as amusing as a nineteenth-century broohaha between Whitehall and Simla over jurisdiction of some Indian Ocean atoll, already is producing some unedifying complications.

## Complications

The CIA's Pakse operations — which for all their ingenuity so far have failed to keep the Communists from taking over most of South Laos — are flagrant violations of Laotian neutrality. And neither Laos's premier, Prince Souvanna Phouma, who is a northerner, nor the US Embassy in faraway Vientiane, seem able to curb the Pakse operation.

Here in Cambodia, where the US embassy has become the nexus of Cambodian political power, the American infighting has already produced some domestic political complications — notably affecting the much publicised rivalry between Premier-delegate Sisowath Sirik Matak and Marshal Lon Nol's young and ambitious brother, Lon Non. The embassy likes Sirik Matak, and hardly bothers to veil its distaste for Lon Non.

With Sirik Matak, who has shunned CIA contacts, emerging as the embassy's man, and Lon Non emerging as the CIA protégé, the American squabble seems to contain seeds potentially as disastrous as those that disrupted Laos a decade ago. At that time, the CIA so disliked the State Department's candidate for premier of Laos that it sent its own Laotian army marching north to drive him out of Vientiane.

Several times routed in its efforts to infiltrate Cambodia, the CIA, like Hanoi, may decide on a strategy of letting dissension spring up among its adversaries. The State

Department wants to keep the Cambodian operation lean, clean, and honest. The Defence Department keeps pushing for a big in-country US military establishment.

"You might say we're caught in the middle," said one foreign service officer recently, empathising with the Cambodians who are similarly caught between North and South Vietnam.

STATINTL

## DOVISH NEDZI'S NEW JOB

## Overseer to Lift CIA's Lid

By ORR KELLY  
Star Staff Writer

Shortly after Congress returns from its August recess, five congressmen will turn off the George Washington Memorial Parkway at an unmarked exit, swing back across the parkway on than overpass and suddenly emerge into a spacious, tree-dotted parking lot surrounding a gleaming white building.

Only after they have parked and entered the building will they see their first solid evidence — inlaid into the floor in a giant seal — that this is the headquarters of the Central Intelligence Agency.

Heading the little group of congressmen will be Rep. Lucien Norbert Nedzi, a 46-year-old Democrat who has represented the eastern portion of Detroit since 1962, and who has just been named — to the surprise of many — as the chairman of the House Armed Services Committee's subcommittee on central intelligence.

Nedzi's record has not been the kind that would, on the surface, endear him to the more senior — and generally more conservative — members of the committee. He co-sponsored an end-the-war amendment in the House, has opposed the B1 bomber and the Safeguard missile defense system, and is one of a tiny group of rebels on the 41-man committee known as the Fearless Five.

Why did Rep. F. Edward Hebert, a Democrat from Louisiana, choose Nedzi for one of the most important subcommittee assignments — a post traditionally held by the chairman himself?

## Nedzi Explains Choice

"The chairman was generally interested in having a review of this area," Nedzi explained in an interview. "My experience with him has been excellent — we understand each other. I know where he stands, and he knows where I stand. I have never deceived him and he has never reflected deception to me."

"He feels that we need to call a spade a spade and he feels I'll do just that."

Nedzi comes to his new assignment — which will cover all intelligence agencies, not just the CIA — with few preconceptions and, in fact, no preconceptions at the edge of the field.

"The senior members were on the Central Intelligence subcommittee and we were not privy to their deliberations. We had absolutely no information on the budgets of the agencies or what they were up to. Periodically, we got intelligence reports," Nedzi said.

The five-man subcommittee was, in the past, made up of the chairmen of the full committee and the two senior members from each party. The senior members serving with Nedzi will be Reps. Melvin Price, D-Ill., O. C. Fisher, D-Tex., William G. Bray, R-Ind., and Alvin E. O'Konski, R-Wis.

Nedzi had some brief exposure to the intelligence field when he served on a special subcommittee looking into the capture of the U.S.S. Pueblo by the North Koreans.

## Has Met Helms

He has met Richard Helms, director of Central Intelligence, on several occasions when Helms has appeared before the committee and he thinks highly of him. But Nedzi has never visited the CIA, has never called on the CIA for a special intelligence briefing, and does not know Lt. Gen. Donald V. Bennett, director of the Defense Intelligence Agency, or Vice Adm. Noel Gayler, director of the super-secret National Security Agency.

The only time a top intelligence official has appeared in an open hearing in the last decade, was on June 2, 1961 when Helms, then No. 2 man in the CIA, testified before a Senate Judiciary subcommittee. Normally, Helms and other CIA officials not only testify in closed hearings but their names and the name of their agency are deleted before a transcript on the hearing is made public.

## Sets Priorities

Despite his lack of experience in the area, Nedzi has a pretty good idea of the areas he would like to explore and he listed them this way:

1— Is there too much overlapping of functions among the CIA and the State and Defense Department intelligence operations?

2— Are the budgets the proper size — and does all the information get to the man who needs it when he needs it?

3— Are individual rights being protected? Nedzi is aware that military intelligence people have been told to cut out their domestic intelligence activities, but he wants to make sure the new rules are being obeyed.

4— Is it proper for the CIA to manage operations such as those in Laos?

"There is a question of whether we should be involved in such operations and the further questions of whether this agency is the proper one to do it," Nedzi said.

5— Should the whole system of security classification be revised?

"That this is a difficult area, I realize," Nedzi said, "and I'm not sure we're going to be able to come up with a Solomon-like decision."

6— How are the national intelligence estimates arrived at? What really is the basis for arriving at decisions?

Since his selection for the new job announced earlier this week, Nedzi said, his phone has been constantly busy with callers volunteering information about U.S. intelligence operations.

"We will give them an appropriate audience," he said. "We are hearing from people with all sorts of axes to grind. We'll screen them all for substance, but no one is peremptorily dismissed."

STATINTL

PHILADELPHIA, PA.  
INQUIRER

M - 463,503  
S - 867,810

AUG 4 1971

### Dove to Keep an Eye on CIA

One of the most active doves and Pentagon critics in the House has been named chairman of a super-secret subcommittee charged with keeping tabs on the CIA and other intelligence agencies.

Rep. Lucien Nedzi (D., Mich.) said one of the first things he will do is visit the headquarters of the Central Intelligence Agency in Langley, Va.

After that, said Nedzi, he hopes to hold public hearings on U. S. intelligence gathering activities.

The subcommittee Nedzi is taking over was considered so vital by Rep. L. Mendel Rivers (D., S. C.) that the late chairman of the Armed Services Committee always reserved that chairmanship for himself.

Besides the CIA, Nedzi will have jurisdiction over the Defense Intelligence Agency and the National Security Agency, two hush-hush branches of the Pentagon.



Rep. Nedzi

4 AUG 1971

### **CIA cover blown**

A 230-acre tract of land adjacent to Central Intelligence Agency headquarters will be turned over to the National Park Service by the General Service Administration and developed for camping, hiking and picnic facilities.

Another 115 acres will be given to the CIA and 32 more acres will be used by the Federal Highway Administration. The tract is located on the north side of the CIA center on Turkey Run.

Creation of parkland means the CIA will lose the dense cover of trees that has screened it from public view since the agency's opening in the 1950s.



4 AUG 1971

# Park Set for Land Near CIA Center

By Joseph D. Whitaker  
Washington Post Staff Writer

A 230-acre tract of woodland next to Central Intelligence Agency headquarters in Fairfax County has been designated as a park site by the General Services Administration.

The site, which is part of 362 acres adjacent to the west side of the CIA center on Turkey Run, will be developed by the National Park Service for camping, hiking, and picnicking, according to park service officials.

The Fairfax County Board of Supervisors adopted a resolution in June requesting that the entire 362 acres that were listed as "excess" by the Department of Transportation be transferred to the Interior Department for use as parkland.

Both the CIA and the Department of Interior filed requests for use of the property, which stretches along the Potomac River Palisades. Designation of the property as parkland means the CIA will lose a woodland border that has screened the agency headquarters from public view since it opened in the late 1950s.

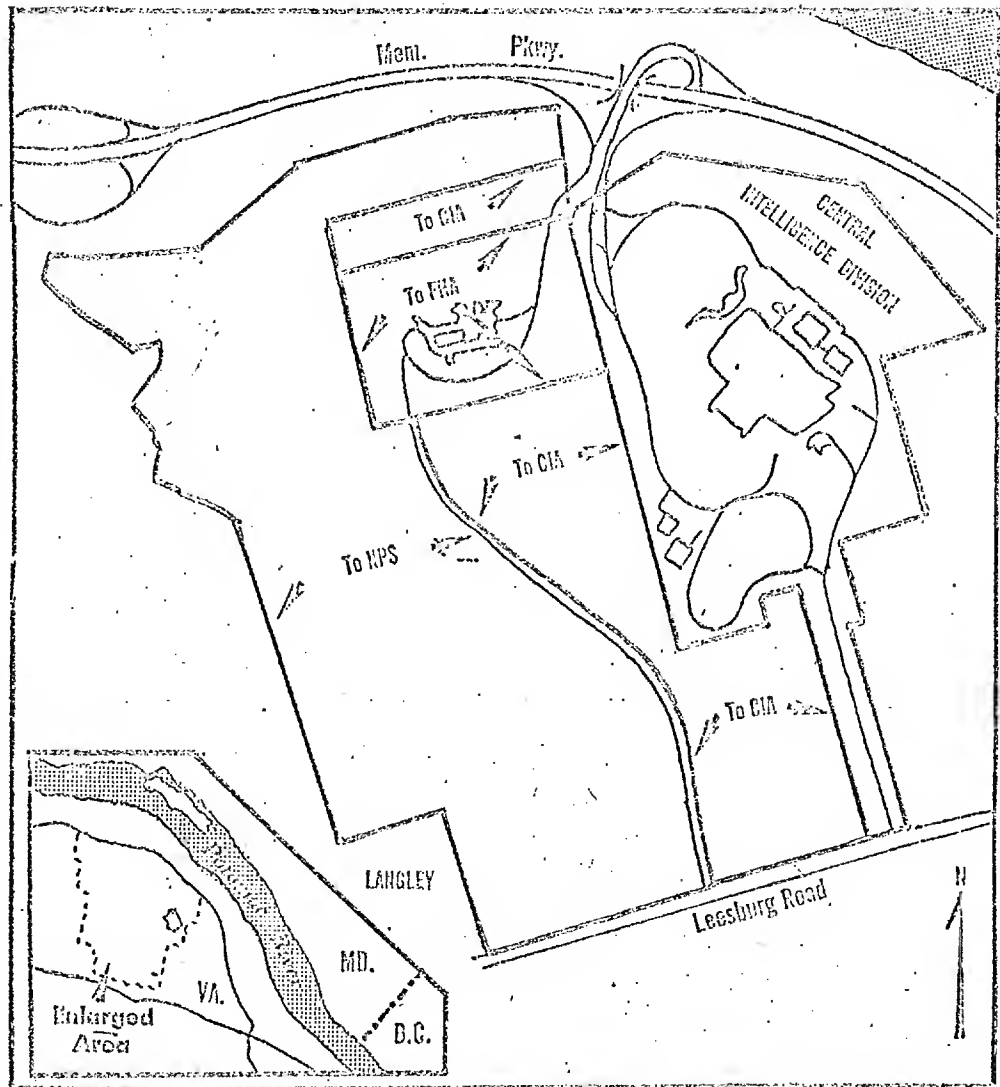
Park Service officials said they expect to begin developing the land for park use by the end of this year.

Dranesville Supervisor Harriet F. Bradley, who introduced the resolution, said she was prompted to do so by a rumor that the CIA "had plans" for use of the property. She interpreted that as an intention by the agency to expand its facilities on the site.

A GSA letter announcing the transfer to the National Park Service indicated that the CIA and the Federal Highway Administration will also receive parcels of the land.

"We have now completed an evaluation of the needs of the CIA and have determined that approximately 115 acres will be transferred to that agency," the letter stated.

It continued: "The balance of the excess land, consisting of approximately 215 acres



By Joseph Mathersalo—The Washington Post

Map locates the 230 acres (labeled "NPS") that are to be developed into parkland. will be transferred to the National Park Service." GSA also designated 32 acres of the land to be used by the Federal Highway Administration.

GSA subsequently added 15 acres more to the National Park Service share. The land is about one mile west of the 336-acre Burling Tract, which was recently purchased for park purposes.

Leroy Rowell, assistant director of National Capital regional jurisdiction over the site, said several baseball

fields normally used only by CIA employees will be included in the land transfer.

Mrs. Bradley said she viewed the GSA decision as a victory for the McLean Citizens Association, which she said has been trying to get the Department of Interior to request use of the land since 1955.

"I am pleased that our long-term efforts have paid off," Mrs. Bradley said yesterday. CIA, but we were determined not to have another government agency locate in that

In spite of the letter announcing the transfer, a GSA spokesman said yesterday the land transfer is still "under discussion" and will not be final until the plan is submitted to the U.S. Office of Management and Budget for approval.

## Park Service Gets Most of Virginia Tract

Some 215 acres of a 330-acre tract recently declared superfluous at the Fairbanks Federal Highway Research Station will be transferred to the National Park Service.

The land is adjacent to the Turkey Run recreation area and the Central Intelligence Agency's McLean headquarters. The Fairfax County Board of Supervisors requested in June that it be converted into parkland rather than transferred to the CIA.

The CIA was said to have been interested in acquiring the site.

About 115 acres, however, "are identified for transfer" to the CIA. The highway research station will continue to use 32.

National Capital Parks Director Russell E. Dickinson said that the Park Service has requested rights to 25 acres of land apportioned to the CIA.

## Pentagon Critic Named To Keep Watch on CIA

One of the most active doves U.S. intelligence-gathering activities and Pentagon critics in the House has been named chairman of a super-secret subcommittee charged with keeping tabs on the CIA and other intelligence agencies. He was appointed by the hawkish chairman of the Armed Services Committee.

Rep. Lucien Nedzi, D-Mich., said one of the first things he is going to do in his new job is visit the headquarters of the Central Intelligence Agency in Langley.

After that, said Nedzi, he hopes to hold public hearings on

As an eight-year member of the full committee, Nedzi has attended briefings by CIA directors from time to time.

The subcommittee he is taking over was considered so vital by Rep. J. Mendel Rivers, D-S.C., that the late chairman of the Armed Services Committee always reserved that chairmanship for himself. Not only did Rivers' successor, Rep. F. Edward Hebert, D-La., pass up the post, but he expanded its jurisdiction.

Besides the CIA, Nedzi will have jurisdiction over the Defense Intelligence Agency and the National Security Agency, two hush-hush branches of the Pentagon.

Nedzi said in an interview Hebert had placed "no restrictions of any sort" on him, though he added it remained to be seen what the future would hold.

Why did Hebert pick him?

"Because he's a good man," said Hebert. "Even though we're opposed philosophically," he said, he has come to respect Nedzi's ability in pressing his case.

ANN ARBOR, MICH.

NEWS Approved For Release 2001/03/04 : CIA-RDP80-016

E - 38,589

S - 35,974

# Harold Moon Deals In Freedom

By William F. Tread  
(News Police Reporter)

Harold Moon deals in freedom.

Other people's freedom.

At 10 per cent of the take.

Put another way, Toledo-born Harold Moon is a professional bondsman. His job: get people out of jail.

For those who have never been in jail, a bondsman is a representative of a company, usually an insurance firm, which is willing to guarantee to judges, prosecutors and police agencies that an arrested person will appear for a later court appearance. That guarantee is backed by the company's money -- as much as the court sets for bond with the arrested party or his relatives putting up 10 per cent of the bond. That 10 per cent is paid directly to the bonding company and is not returned.

But what price freedom?

Moon, since he began in Washington County as a bail bondsman four years ago, has written release bonds from \$25 to \$25,000.

"I guess I've written bonds for everything except treason," the Ohio native quips. "And for just about every amount."

Bonding people out of jail or keeping them from going behind the bars at all sounds like a relatively simple business process. It would be except for bond-jumpers.

These are the persons who leave the county, the state or even the country while under bond and fail to show up for their court appearance. When that happens the court usually orders the bond forfeited and issues a bench warrant for the fugitive's arrest.

Bond-jumpers are sought by police.

But they are literally hunted down by bondsmen. For if the fugitive can be returned to the court's jurisdiction the bonding company stands to lose only a portion of the money originally posted for release.

Harold Moon has had some exciting times chasing bond-jumpers.

If you like that kind of excitement.

Like the time down in Kentucky when Moon located a bond-jumper at his home and was attacked by the man's shotgun-wielding father.

"I had an off-duty Washtenaw County sheriff's deputy along with me as an aide and he saved my life," Moon relates. "I took the shotgun away from the father and I was the one who was handcuffing the jumper the father

got the shotgun and was loading it when the local deputy grabbed it from him.

All's fair in love and hunting bond-jumpers.

Moon has disguised himself as a minister, a laborer and a professional man at various times to make his way to grabbing distance of a bond-jumper.

"And I take with me on these trips any individual who I think can do the preliminary scouting for me without arousing the subject's suspicion," he says.

He has taken members of motorcycle clubs, hippies, teenagers, off-duty policemen and factory workers.

"These people, depending on the location and area, many times can slip on in, talk with people and locate my man with no one the wiser," Moon said.

Although Moon operates his bonding business in Washtenaw, Monroe and Livingston counties, he has jurisdiction in the pursuit of those who jump bonds anywhere in the country. When he arrives in a community where a bond-jumper has been located, he contacts local police and asks for assistance. In pursuit of those who slipped bond Moon puts more than 70,000 miles a year on his car.

Apprehending bond-jumpers is not always difficult.

Recently, Moon went to a garage in Indiana where a man wanted in Monroe County on an attempted murder charge was working.

"I slipped up behind him and slipped on the handcuffs before he knew I was there," he notes.

Moon was the bondsman for White Panther Party Leader Lawrence R. "Fur" Plamondon when the former Traverse City man was arrested in 1968 on a sale of marijuana charge.

Plamondon, listed at the time as "minister of information" for the White Panther Party, jumped a \$1,000 bond posted by Moon's company, the International Fidelity Insurance Co. of Newark, N.J. The firm offered a \$1,000 reward for Plamondon's capture in 1970 and last summer he was picked up by Michigan State Police when an occupant of a truck in which he was riding near St. Ignace tossed a beer can on to the highway. The littering incident led to Plamondon's identification.

At the time, Plamondon was under federal indictment in Detroit on charges arising from the 1968 dynamiting of the Central Intelligence Agency in Ann Arbor. That case is still pending.

Moon and his business manager, Ross Creviston, say the bonding business is increasing. They say drug arrests are one of the major causes for the increase in their business. Moon says that studies have shown that persons bonded out of jail receive probationary sentences from courts to a greater extent than do those who cannot raise bond and go to trial from their jail cell.

Moon served 18 years in the Army and Air Force, earning six battle stars in the Korean War before returning to the Ohio-Michigan area. He is part-owner of a stone company in Toledo and also works as a real estate salesman.

But bonding people out of jail is his main business.

And going after those who jump bonds is a big part of that business.

28 JUN 1971

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# CIA Reported Sending Spies Into China

Associated Press

The Central Intelligence Agency has been sending Laotian hill tribesmen on spying missions from Laos into Communist China to obtain information on troop movements and political developments, according to a report published by the Philadelphia Bulletin and the Seattle Times.

"Those forays involve sending reconnaissance teams from northern Laos as much as several hundred miles into Southern China's Yunnan Province," said a copyright story written by Arnold Abrams, published by the two newspapers yesterday.

The dispatch, as published in The Bulletin, said unaffiliated sources reported that U.S. offi-

cials in Laos discounted any potential threat the operations may pose to slowly improving relations between Washington and Peking.

"They believe this threat is small, according to reliable sources, because the operations are not commando raids or sabotage efforts and Americans do not participate in them," the Bulletin said.

Native hill tribesmen are of the same ethnic stock as found in southern China. "They have been recruited, equipped and trained by the CIA to infiltrate Chinese territory and obtain information on troop movements, political developments and other data," the Bulletin said.

Abrams said his sources claim

such intelligence missions have long been known to Chinese authorities and that several teams have been captured in recent years.

"Consequently, American officials reason that Peking will continue to tolerate these terri-

torail incursions as long as they are conducted solely to gather intelligence."

Officials at CIA headquarters in McLean, Va., declined any comment on the story, as did American Embassy officials in Vientiane, the Bulletin said.

27 JUNE 1971

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STATINTL

# A Look Into the Twilight World of George Fassnacht

STATINTL

By JOSEPH R. DAUGHEN

Of The Bulletin Staff

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It is a long way from the basement of 523 Rhawn st. to the one-room office of Norton Private Ltd. in downtown Singapore, but George E. Fassnacht has made the trip.

Fassnacht is the 35-year-old Philadelphia Police Department ballistics expert turned Central Intelligence Agency operative who was arrested Thursday after authorities uncovered the largest private munitions cache in the city's history in his Fox Chase home.

Janet Fassnacht, 35, and her four daughters from a previous marriage had lived atop the arsenal since May 29, 1968, when she married the close-mouthed weapons collector.

**Headed for Orient**

Fassnacht, however, did not. Two months after the wedding he left the four-bedroom brick twin home and headed for the Orient to ply his peculiar trade. He returned only once—for about a month in the winter of 1969.

While he was gone, Fassnacht flitted from Hong Kong to Saigon to Singapore, living the twilight life of a man whose occupation was intrigue and whose source of strength was secrecy. Much of that intrigue and secrecy was—and is—centered in the one-room office of Norton Private Ltd.

Bernard F. Woods, 30, operations manager of Norton Private, sat at his desk in Singapore and cautiously discussed Fassnacht with a special correspondent of The Bulletin.

**'Program Director'**

"I am not going to disclose what George is," Woods said. "I can't disclose it. It is classified. My firm has nothing to do with George except he worked for Norton Interna-

tional and I am employed by the same firm."

Fassnacht worked for about a year as "program director" of Norton International Corp., of Harper Woods, Mich., which is affiliated with Norton Private Ltd. Both firms appear to be as mysterious as Fassnacht.

Paul Norton Van Hec, 44, president of Norton International, told The Bulletin in an interview that his firm is engaged in "management, marketing and consulting." The company was chartered on Sept. 15, 1969, and last year had sales of \$175,000. Although it is presumably a normal business seeking customers, Norton International does not advertise in the Yellow Pages, said Van Hec.

Norton Private, in which Van Hec said he has "an equity position," is registered in Singapore "to carry on the trade or business of manufacturers of explosives, gun powder of every description, nitroglycerine, dynamite, gun cotton or other substances or things."

**'Can't Describe' Business**

Norton Private was founded April 16, 1963, with a capitalization of about \$1.6 million. It has 70 employees, but only three are in Singapore. The rest are in South Vietnam. Asked what business Norton Private is engaged in, manager Woods said:

"I can't very well describe it. My boss brings people together to do tasks. I work for the local (Singapore) government, but what I do is classified."

Behind Woods' desk was a bronze plaque with an inscription that read in part, "The end of the fight is a tombstone white, with the name of the late deceased. . . Who tried to hustle the East—Rudyard Kipling."

Fassnacht's fight with the law is not yet ended, and there are no known tombstones in the case. But what is clear is that someone was trying to hustle something in the East.

**Cellar Was His Domain**

Mrs. Fassnacht, interviewed by police, said she could never remember when her basement was not crammed with munitions. Her husband, she said, was unyielding on the subject of the basement.

"He explained that all the guns and bullets and munitions were his own personal business and that the cellar was his domain and we could do anything we wanted in any part of the house, but the cellar was his," she said. Her daughter Cynthia, 14, was permitted to enter the basement occasionally.

"I used to go down the cellar with my father and clean the bullets for him so they would not get old."

Where did all the weapons and explosives, including some manufactured in Communist China, come from? Some had been in the Rhawn st. home, and in the home of friends, for years. Others had been shipped there from Japan and other places.

How did Fassnacht acquire them, and what was their final destination?

"Some people like girls, others like booze," said Woods. "George likes guns and collects them."

**All Familiar With Guns**

Fassnacht's associates knew all about guns, too. Van Hec and two other men—vice president John E. Corazzol, 35, and secretary-treasurer James M. Klodfelter, 41—are the officers of Norton International. Before they formed Norton, all three men worked for Cadillac Gage Co. of Warren,

Mich. Cadillac manufactures armored vehicles, machine guns and rifles.

Van Hec refused to say what Fassnacht's job was, and he would not discuss Norton's business. He also said it would be "a very rash assumption and a rash dramatization" to link his firm to the CIA.

Although Van Hec described his company as "not very large, a CIA agent seemed to be familiar with it. Told only that Paul Van Hec had refused to confirm or deny any possible relationship with the CIA, and without identifying Van Hec's firm, the agent replied, "We have no relationship with them at all."

**Worked Out of Saigon**

Mrs. Fassnacht told police that her husband was employed by the CIA when she married him and he remained a CIA employee for two more years, until about May 1970, working out of Saigon. He then went to work for Norton Private, she said, although Woods and Van Hec say he was on Norton International's payroll. Explaining how she got in touch with her husband, Mrs. Fassnacht said:

"You call the long-distance operator and tell her you want to talk to someone at Norton Ltd. Co. in Singapore."

"My husband has had very little contact with me and I have no mailing address except for the Norton Co. at 45 D Robinson road, Singapore."

Mrs. Fassnacht used this mailing address even though Fassnacht, until earlier this month, leased a four-room flat at 28 Watten drive, also known as Rise in an upper-middle-class neighborhood of Singapore peopled mostly by Americans and Europeans.

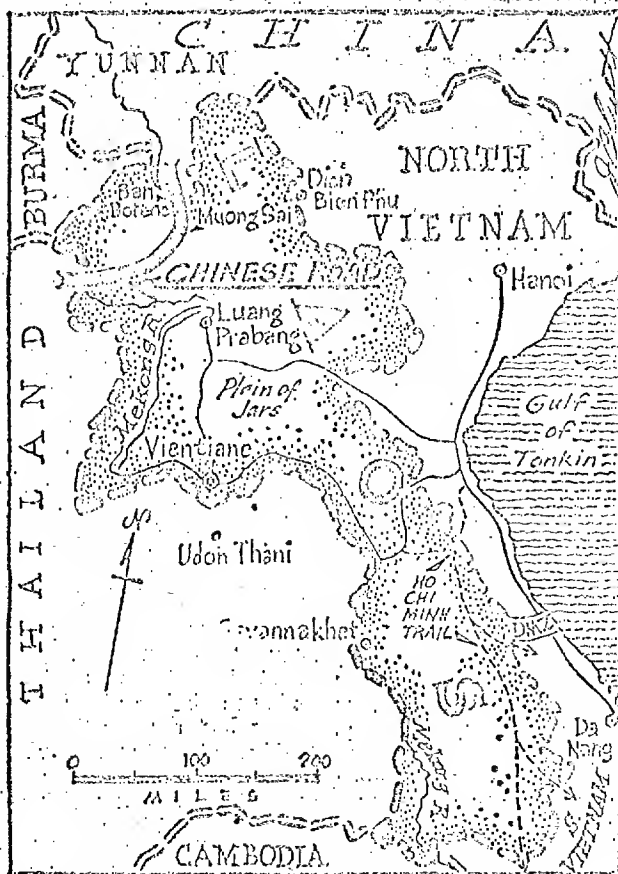
**What Is Expected**

Mrs. Fassnacht, whose brother formerly was a detective in the Philadelphia Po-

PHILADDELPHIA, PA.  
BULLETIN

E - 640,783  
S - 681,831

JUN 27 1971



## Reds Aware

# CIA Sends Spies Deep Into China From Laos

By ARNOLD ABRAMS

Special to The Bulletin

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Vientiane, Laos—Intelligence operations that penetrate deep into China have been directed from here for years by the Central Intelligence Agency and are continuing.

These forays involve sending reconnaissance teams from northern Laos as much as several hundred miles into Southern China's Yunnan Province.

The team members are native hill tribesmen of the same

ethnic stock prevalent in southern China. They have been recruited, equipped and trained by the CIA to infiltrate Chinese territory and obtain information on troop movements, political developments and other data.

U. S. Won't Talk

[A Bulletin inquiry at the Central Intelligence Agency headquarters in McLean, Va. brought this response: "The CIA never comments about news stories concerning its operations."]

American embassy officials in Vientiane refuse to discuss

these operations. Qualified sources report, however, that U. S. authorities believe local security needs and the intelligence value of such operations justify their continuation.

Moreover, U. S. authorities largely discount any potential threat the operations pose to slowly improving relations between Washington and Peking.

They believe this threat is small, according to reliable sources, because the operations are not commando raids or sabotage efforts and Americans do not participate directly in them.

Sources note, in addition, that such intelligence missions have long been known to Chinese authorities; several teams have been captured in recent years.

Consequently, American officials reason that Peking will continue to tolerate these territorial incursions as long as they are conducted solely to gather intelligence.

Worse Threats Elsewhere

U. S. authorities also believe that, if the Chinese want an excuse to reverse the friendly trend of their ping-pong diplomacy, they can do better than focusing on these operations.

"We're still fighting in Vietnam, we have a military presence on Taiwan, and we are standing by our treaty commitments to Chiang Kai-shek," observes one source close to U. S. policy-making levels. "If the Chinese are looking for something to whip us with, any one of those three will do."

In Laos, American officials' major security concern about the Chinese stems from a Peking road-building project in the north. An estimated 14,000 Chinese, including several thousand soldiers, are constructing a road network leading toward the Thai border.

Thais Disturbed

Thai authorities repeatedly have expressed deep concern

about the road's potential as a supply route for Communist-led guerrilla forces in northern Thailand.

American officials privately voice similar concern. While conceding that Chinese forces in Laos have not been acting hostile, they insist the project must be kept under scrutiny.

Peking's construction project originally was requested by the tripartite government established in Laos with the signing of the 1952 Geneva Accord. While technically still existent, the coalition was abandoned in 1953 by Communist Pathet Lao representatives.

Ironically, while American officials privately fret about Chinese intentions in Laos, Peking's pingpong diplomacy has prompted positive reaction from the leader of this nation's neutralist government.

In an interview, Prime Minister Souvanna Phouma stressed China's historically nonaggressive attitude toward Laos.

Prince Souvanna noted that the unhappy history of this landlocked kingdom includes invasions by neighboring Thais, Cambodians, Burmese and Vietnamese — but not by the Chinese.



## Surplus Federal Land Sought for Fairfax Park

The Fairfax County Board of Supervisors yesterday asked that 330 acres declared surplus by the Bureau of Public Roads be used for parkland instead of being turned over to the adjacent Central Intelligence Agency.

In a resolution approved unanimously, the county board took note of recent national policy declarations emphasizing protection of the Potomac River banks and the need for public park land. The board asked that the wooded tract, which lies northwest of the CIA, be turned over to the Department of the Interior as public park land.

Supervisor Harriet F. Bradley noted in the resolution she introduced that the CIA has for many years been "an active and constructive neighbor to McLean."

However, she said, "use of the Bureau of Public Roads tract as an employment center whether as an expansion of an existing use or the accommodating of a new one would be inconsistent

with our stated national goals."

The resolution will be transmitted to President Nixon, to the Secretary of the Interior, the directors of the General Services Administration and the Central Intelligence Agency as well as legislators representing northern Virginia.

A recent General Services Administration report listed the land as being in excess of the needs of the Bureau of Public Roads. In addition to CIA, it adjoins the Turkey Run recreational area.

28 JUN 1971

STATINTL

# Mrs. Bradley Moves to Block Rumored CIA Effort to Take Over BPR Land

By RICHARD LEWIS  
SUN Staff Writer

McLEAN — Fairfax County Supervisor Harriet F. Bradley I-Dranesville, has revealed she will attempt to halt any effort by the Central Intelligence Agency to take over 330 acres of federally-owned McLean area land that has recently been declared "surplus."

Mrs. Bradley said she will ask the board of supervisors at its meeting today to join her in fighting a rumored attempt by the CIA, which is based in Lang-

ley, to appropriate the surplus land located adjacent to its tract.

The "surplus" property is now part of the Bureau of Public Roads site at Langley.

A recent General Services listed the land as in excess of the BPR's needs. GSA spokesman E. P. Richardson told the SUN yesterday that "in all probability", the land will be transferred to the National Park Service for public use.

"It didn't just happen" that the land was declared surplus

Mrs. Bradley said. "The McLean residents have "fought this battle for the last 10 years."

She said McLean residents have "fought off" development attempts on the BPR site by the Patent Office, the Navy Department and the Harry Diamond Laboratory of the Defense Department.

The property is next to the Turkey Run recreational area and the George Washington Memorial Parkway.

Mrs. Bradley said she will introduce a resolution before the

board today stating that the CIA should not expand on to the surplus property, does not need it to protect its headquarters, and should not use it for its own recreational purposes as is now the case.

Describing the tract as "a cleared plateau suitable for recreational activities" with "woodlands and slopes to the river," Mrs. Bradley said she would ask the board further to help get the land designated for recreational and parkland use by the public.

10 JUN 1971

## CIA Emptied By Bomb Threat

Employees in the McLean headquarters of the Central Intelligence Agency were evacuated for more than an hour last night after a man called the switchboard around 7:30 p.m. and said a bomb was hidden in the building.

CIA security guards searched the building while Fairfax County police checked the identification of persons leaving the CIA compound, but no bomb was found.

30 May 1971

STATINTL

# What do you know about

# YOUR CREDIT SHADOW?

Edwin Black, a free-lance writer, spent three months investigating the credit bureau industry in Chicago. This is the first of his two-part series.

By Edwin Black

**J**OSEPH CURRY—Chicago salesman with a wife and child, two-bedroom home, one car, a dog and a color TV—decided it was time to move up to a better paying job. So Joe applied to a new company, was interviewed and hired. Wonderful, right?

Wonderful, wrong. Because now, Joe is working day after day with a boss who knows how long it takes him to pay bills, and what bills he didn't pay last month, from whom and how often he borrows money, whom his close friends are, what his neighbors think of him—and worst of all, that he was sued by his former wife five years ago for nonpayment of alimony.

Shocking? Not to the boss, who checks into the personal life of possible employees every day. It's routine, and as easy as picking up the phone and dialing the number of the credit bureau.

Every transaction you make, cash or credit, is a possible entry into your own credit history. Since you reached 21, your life has been capsulized on computer tape and index cards and filed with the credit bureau.

And that information is available, not only to employers and creditors, but to detective agencies, the federal government, and even your next door neighbors. It amounts to a giant credit shadow, lurking behind you every step of the way.

**C**redit defined is simply trust, from the Latin word *credo*, which means "I believe." A retail store or mail-order house will trust you with merchandise or services on your promise to pay. Without this magical American phenomenon, large department stores would lose 60 per cent. of their business, chain stores 40 per cent, and the economy in general would shrivel.

Credit sales are so important that

J. C. Penney didn't mind spending over \$20 million last year to support its charge and revolving charge accounts department.

To minimize the high risk of granting credit, an entire industry has been created—the credit bureau industry. In Chicago, creditors utilize three major consumer credit reporting bureaus—Credit Bureau of Cook County, Chicago Credit Bureau and TRW Credit Data.

Credit Bureau of Cook County, largest in the world, stockpiles information on five million Chicago-area individuals. Each file contains an address and employment history, a complete list of existing credit accounts or purchases, the length of time it took to pay the bills, any existing unpaid bills, any financial lawsuits including full docket details, any liens, any bank accounts, any loans, any inquiries from any other creditors and anything else of surface interest to any business concern contemplating extending any credit of any size, on any terms.

Altho most of this data is now stored manually in long rows of metal files, C. B. C. C. by July 1, will convert totally to CHRONOS, a gigantic computer system that retrieves complete files in less than a second. For under \$2, this information is available to any registered C. B. C. C. subscriber.

**W**ho can subscribe? Retail establishments, oil companies, airlines, banks, loan companies, detective agencies, government agencies, private social clubs, doctors, dentists, lawyers—any legitimate businessman or company. The subscriber merely phones in his identification code and the facts are immediately found and read over the phone. For an additional charge, a typed copy will be mailed. No purpose need be given. It's that simple and happens thousands of times every day to subscribers throughout the city and even

To illustrate how accessible these confidential reports are, I obtained a full report on a business friend thru five different bureaus. C. B. C. C. released the information to a doctor friend of mine registered with the bureau. TRW Credit Data released the information to a clerk working in a small clothing shop. Chicago Credit Bureau blindly co-operated with a used car salesman. And two other minor bureaus co-operated with me after I first pretended to verify the code number of a large department store, and then called again using that code number.

TRW Credit Data is a national service that stores all its records in an expansive computer complex in California. TRW has information on four million Chicago area residents along with millions of individuals in other cities, but limits its reports strictly to consumer credit reports (no character reports). It maintains a unique "protest code" to indicate whether a consumer disputes an unpaid bill and will not deliver information to any seekers except those who grant credit. This at least excludes detective agencies and kindred snoops.

Chicago Credit Bureau, the city's first credit bureau, is as yet uncomputerized. It follows a credit check philosophy similar to TRW's, but offers an extra service to its hundreds of Chicagoland clients: confidential character reports which are written evaluations of a consumer's "personal history, character, integrity, credit record and health." to quote the current pamphlet. These confidential reports are available to subscribers for \$5 each and to nonsubscribers (inquirers with only an occasional need) for \$10 each.

While Chicago Credit Bureau limits these profiles to its credit extending clients, other bureaus offer much more detailed reports to almost anyone. For \$15, Credit Bureau of Cook County sells what they call a "P-code" report ("P" stands for "personal"). P-codes are more investigations that include past associa-

**STATINTL**

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**Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2**

SUBJECT: Scripture and the Lobby

The quotation from Scripture carved on the wall in the lobby of Headquarters building ("And ye shall know the truth and the truth shall make you free") is correctly identified there as John 8.32. That verse 32 is actually a continuation of verse 31, and there is an important "if" clause. The text of John 8.31-32:

Ἐλεγε γάρ οὖν ὁ Ἰησοῦς πρὸς τοὺς πεπιστευκότας αὐτῷ  
 Ἰουδαίους· εἰὰν ὑμεῖς μείνητε ἐν τῷ λόγῳ τῷ ἐμῷ,  
 ἀληθῶς μαθηταί μου ἔσσε, καὶ γνώσεσθε τὴν  
 ἀλήθειαν, καὶ ἡ ἀλήθεια ἐλευθερώσει ὑμᾶς.

The Latin:

Dicebat ergo ad eos, qui crediderunt ei, Iudaeos: Si vos manseritis in sermone meo, vere discipuli mei eritis, et cognoscetis veritatem, et veritas liberabit vos.

And a version in English:

Then Jesus said to those Jews who believed in Him: If you continue in my word, you will be my disciples indeed, and you will know the truth, and the truth will make you free.

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# Nixon Reported Weighing Revamping of Intelligence Services

By BENJAMIN WELLES  
Special to The New York Times

WASHINGTON, May 10

President Nixon is said to be considering a major reorganization of the nation's foreign intelligence activities to improve output and cut costs.

Those familiar with the plan say that the options range from creating a new Cabinet-level department of intelligence to merely strengthening the now-imprecise authority of Richard Helms, Director of Central Intelligence, over the global intelligence operations of the Pentagon and other federal agencies.

The reorganization plan has recently been presented to President Nixon. It covers 30 to 40 typewritten pages and was prepared primarily by James R. Schlesinger, assistant director of the Office of Management and Budget, and K. Wayne Smith, a former Pentagon systems analyst now on the National Security Council staff.

The informants say the plan grew from instructions Mr. Nixon gave his staff last autumn, to draft various reorganizational and cost-cutting studies.

## Complaints Voiced

Both the President and Henry A. Kissinger, his assistant for national security affairs, have frequently expressed dissatisfaction over the erratic quality of the foreign intelligence

provided them. Some White House officials estimate that at least \$500-million could be cut from the \$5-billion spent annually on national intelligence.

Mr. Nixon and Mr. Kissinger have said that while occasionally intelligence of extreme usefulness — such as the incredibly detailed information on Soviet and Chinese Communist missile development obtained from spy satellites — has been produced, the service has frequently failed to forecast such sudden developments as the riots that forced a political reshuffle in Poland last December.

Mr. Nixon is particularly dissatisfied, his associates say, by the cost and size of the Government's global intelligence operations when compared with their results. In addition to the Central Intelligence Agency, five federal agencies are involved in intelligence overseas. At least 200,000 people are involved, 150,000 of these uniformed personnel in the Defense Department.

The President was seriously irritated, aides say, by two recent failures of the Pentagon's Defense Intelligence Agency, which numbers 3,000 and spends an estimated \$500-million yearly. One was faulty intelligence prior to the abortive prison-camp raid at Sontay, in North Vietnam, last November. The other was failure to forecast North Vietnamese resistance to the South Vietnamese Army's incursion into Laos Feb. 5 to March 25.

## Their Estimates Were Better

"Hanoi threw 35,000 men or four divisions against the 17,000 in ARVN," said one qualified source. "They stripped North Vietnam of troops, gambling that the United States wouldn't invade the North — and they were right. Their estimates were better than ours."

The most drastic option open to Mr. Nixon would be the creation of a new department of intelligence to be headed by an official of Cabinet rank. It would combine the Central Intelligence Agency with 15,000 civilian employees; the Defense Department's code-cracking National Security Agency with 100,000 uniformed personnel and its Defense Intelligence Agency with 3,000. The C.I.A. spends about \$500-million yearly; the National Security Agency \$1-billion and the Defense Intelligence Agency \$500-million.

The merit, some experts say, would be to concentrate in one department the collection of foreign intelligence now performed not only by the C.I.A. but also by the Army, Navy, and Air Force separately around the world. However, opposition would be forthcoming from vested interests in the armed services and in Congress. They say, therefore, that Mr. Nixon is unlikely to adopt it.

At the other end of the scale, informants report, Mr. Nixon could merely issue an executive order defining — thus strengthening — the authority of Mr. Helms over the intelligence operations of such powerful federal agencies as the Pentagon, the State Department, the Atomic Energy Commission and the Federal Bureau of Investigation.

## Officers Meet Weekly

Their principal intelligence officers meet weekly as members of the United States Intelligence Board. Mr. Helms, as the President's chief intelligence adviser and head of the C.I.A., presides, but his authority is unclear. It derives from a letter written by President Kennedy in 1963 to John A. McCone, one of Mr. Helms's predecessors, and has never been updated.

While Mr. Helms has full control over the C.I.A., the Pentagon's worldwide intelligence, which Robert F. Frochke, an

## Services

Assistant Secretary of Defense has estimated costs \$2.9-billion yearly.

"When you have the authority but don't control the resources," a Defense Department official observed, "you tend to walk very softly."

The President is said to regard Mr. Helms as the nation's most competent professional intelligence officer. Last month, informants disclose, Mr. Nixon wrote Mr. Helms congratulating the C.I.A. on its recent annual estimate of Soviet defense capabilities.

To provide control over the huge intelligence system and make it responsive to his needs, Mr. Nixon is likely, his staff associates say, to choose one — or a combination of — the middle options before him that do not require Congressional approval.

## Closer Ties Possible

It is likely, officials say, that Mr. Nixon will eventually bring Mr. Helms and a top-level staff of evaluators from C.I.A. headquarters in Langley, Va., closer to the White House, possibly into the National Security Council staff.

Officials concede that under a reorganization Mr. Helms might relinquish to his deputy, Lieut. Gen. Robert E. Cushman, of the Marine Corps, some of his responsibility for the C.I.A.'s day-to-day collection operations and concentrate, instead, on intelligence evaluation for the President. One possibility envisaged under the reorganization would be the creation by Mr. Helms of an evaluation staff in the White House drawn from the C.I.A.'s Office of Current Intelligence and its Office of National Estimates. The latter prepares long-range studies in depth of potential trouble spots.

Another would be the creation by Mr. Nixon of a White House intelligence evaluations staff made up of Mr. Helms, General Cushman, Lieut. Gen. Donald V. Bennett, director of the Defense Intelligence Agency, and Ray S. Clinc, director of the State Department's Bureau of Intelligence and Research.

STATINTL



NEW YORK TIMES

9 MAY 1971

## U.S. Shifts Domestic Wiretap Plea

By FRED P. GRAHAM

Special to The New York Times

WASHINGTON, May 8—The Justice Department asked the Supreme Court today to uphold the Nixon Administration's assertion that it had the legal authority to use wiretapping against allegedly subversive domestic groups without obtaining prior court approval.

However, in appealing an adverse decision on this point to the Court, the Justice Department dropped its assertion that the "inherent power of the President to safeguard the security of the nation" gives the executive branch the authority to forgo the usual warrant procedure when the subjects of the wiretaps are suspected of plotting against the Government.

Civil libertarians and some lower court judges have ridiculed that argument as tantamount to an assertion that the agents of the President can ignore any of the Bill of Rights when they believe national security is at stake.

Solicitor General Erwin N. Griswold omitted the "inherent power" argument today in an appeal filed in the Supreme Court. He tacitly conceded that the Government was bound by the Bill of Rights in domestic security cases, as in other criminal investigations. But he argued that the Bill of Rights, in the Fourth Amendment, does permit the Government to eavesdrop without court orders in such cases.

The appeal brought to the Supreme Court for the first time a widely discussed controversy involving the highest considerations of national security, individual privacy and the separation of powers.

It grew out of two Supreme Court decisions. The first, *Katz*

*v. United States* in 1967, said wiretapping and other electronic eavesdropping is covered by the Fourth Amendment's prohibition against "unreasonable searches and seizures."

The ruling declared police wiretapping illegal unless a court order was obtained first, but the *Katz* opinion left open whether the warrant procedure was required in "national security" cases.

The second decision, *Alderman v. United States* in 1969, said any criminal defendant had a right to see all transcripts of his conversations picked up over an "illegal" police listening device. The purpose is to let defendants be assured that no illegally obtained evidence is being used against them.

### Controversial Cases

This meant that if warrant-free foreign embassies, militant leaders and racial extremists were held to be "illegal," the Government would be forced either to turn the transcripts over to defendants or to drop the cases against them.

Government lawyers conceded privately that some defendants in controversial cases had been overheard over devices planted in such highly sensitive locations that the Government could never afford to admit that it had done the wiretapping.

This has led Attorney General John N. Mitchell to assert in a series of cases that, although the defendants were overheard over wiretaps placed without court authority, the Government did not have to disclose the transcripts because the taps were nonetheless legal.

In the case it appealed today, Federal District Judge Damon J. Keith of the Eastern District of Michigan rejected this argu-

ment and ordered the Justice Department to turn wiretap transcript over to Lawrence R. Plamondon. He is a member who has been accused of conspiracy in the bombing of a Central Intelligence Agency office in Ann Arbor, Mich. ✓

The United States Court of Appeals for the Sixth Circuit affirmed Judge Keith's ruling. It said that the Government might have the power to forgo court warrants in investigating that foreign agents were saboteurs. He said the purpose of the Fourth Amendment was to shield Americans from police searches unchecked by the courts.

In asking the Supreme Court to review that decision, Mr. Griswold stressed that the Fourth Amendment outlaws only "unreasonable" searches and seizures — a qualification that he said "obviously implies some flexibility."

He noted that the Supreme Court had recognized certain exceptions when searches might be made without search warrants—such as when arrests are being made or when evidence may be destroyed. And he argued that "this narrow and important area of national security" should be recognized as another of those exceptions.

In a final hint that the Government does not consider its arguments to be exceptionally strong, Mr. Griswold asked that if the Court held the warrantless wiretaps to be illegal, it should modify the *Alderman* decision. He asked that in domestic security cases the Government be allowed to let the trial judge and not the defendants see the transcripts to decide if information obtained there was being used by the prosecution.

## Police Keep Wary Eye On Protestors

Fairfax County Police at the McLean Station were on duty early and late this week as war protestors were routed from West Potomac Park in Washington on Sunday, and thousands demonstrated at Government buildings.

Arlington and Virginia State Police also were mobilized in anticipation of any attempt to move to Federal installations in Virginia. A group of protestors were permitted to voice their views at the CIA entrance, but there were no incidents.

At Key Bridge, police were in riot uniform, with dogs and dozens of vehicles on hand. Protestors or rock music fans who had been at West Potomac Park until they were moved out Sunday morning were refused permission to stop in Arlington or McLean and were told to keep moving.

Colonel William L. Durrer, County chief of police, announced a special telephone information number for residents wishing to know traffic conditions during the demonstrations on Monday, Tuesday and Wednesday.

Most motorists experienced little more delay than usual, but there were tie-ups at various times at such points as the Georgetown end of Key Bridge, George Washington University and Dupont Circle.

Soldiers patrolled Potomac bridges, frustrating the major plan to "close down the Government."

A school teacher from Boston posted \$84.75 collateral at the McLean Station after police said two cars were moving so slowly as to impede traffic headed toward Washington on the Capital Beltway about 7 a.m. Monday.



CONFRONTATION AT CIA—War protestors seeking Central Intelligence Agency endorsement of a proposed "Peoples' Treaty" with North Viet Nam got no new signatures when they appeared at the entrance to the Government agency at Langley. —Photo by Bill Hollinger

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MAY 4 1971

## Even Fulbright Gagged

Senator J. W. Fulbright, chairman of the Senate Foreign Relations Committee and an outspoken critic of the war in Southeast Asia, had to join other anti-war members of this committee recently to caution young protesters who crowded the committee hearing that their tactics could be counter-productive.

What the protesters had done, that Fulbright and others found distasteful, was to block entrances to Selective Service headquarters, the Internal Revenue Service and the Central Intelligence Agency. These were test trials before the protesters were to try to block entrances to all government buildings to bring the government to a standstill.

For the first time in the current session of Congress, Fulbright and other dovish committeemen—Javits, Aiken, et al—found themselves speaking for the American people in their attitude toward such bold maneuvers. Even Senator McGovern said, "I can't support such tactics."

By supporting the antiwar, anti-U.S. groups, the left-liberal legislators have unleashed a Pandora's box of evils and now they see that this is going to lead to their own high offices being closed to them, also. Classified information says that the Mayday demonstrations were planned with the help of the North Vietnam Liberation Front leader. Barring government from its normal function is an act of subversion. Must government wait until the radicals overturn it before it protects itself? Or enforces its own laws? Armed confrontation or mass internment is distasteful to North Americans, but it must come to that, or the stripping away of U.S. citizenship from the radicals who hate this country. It is now obvious that "end the war" slogans were a mask for "end the U.S. government."

4 MAY 1971

The Federal Diary

# Agencies Report Normal Attendance

By  
Mike  
Causay



Government head-counters say that yesterday's antiwar-inspired traffic jams failed to shut down the bureaucracy as downtown agencies reported "overwhelmingly normal attendance." A few offices said their absentee rate was actually lower than usual for a Monday in May.

A spotcheck of federal offices by the Civil Service Commission produced no attendance figures. But Chairman Robert E. Hampton said the show-up rate was "better than normal" for the metropolitan area's 310,000 civil servants.

A similar survey by this column put the absentee rate at about 7 to 10 per cent. Normally about one in 10 civil servants is out on vacation or sick leave this time of year.

Agencies queried by this column said that parking lots and cafeterias were jammed as usual, although many reported employees arriving 15 to 30 minutes late. But in some offices the pattern was reversed, as employees left home early on their own and arrived anywhere from five minutes to an hour ahead of normal starting times.

An Agriculture official said that many Virginia commuters told him they actually got to work earlier today. They credited the unusual Monday exercise with leaving home early, and fast traffic handling on the bridges by police and troops.

Key "contact" men in nearly all agencies got on the telephone Sunday afternoon and evening, alerting special personnel to come in early. They were to man "decision desks" and to make sure that normal activities continued in the event the bridges were blocked.

Between 4,000 and 5,000 such employees — personnel officers, administrative officials, public information teams and security men — reported in by 5 a.m. Some were called in Sunday night, and slept at the office.

Postal officials said attendance appeared to be normal among the 12,000 area workers, and that deliveries were running "about normal" despite traffic tieups in the Dupont Circle and Georgetown areas. U.S. Postal Service headquarters said there was a regular turnout of its 2,600 employees.

In the report to the Civil Service Commission, General Services Administration said about 93 per cent of its 10,000 employees were on the job by early morning. That includes regular office staff, guards and maintenance crews.

Navy, with about 40,000 ci-

vilians in the metropolitan area, said it had 93 per cent on the job. Most Navy activities are concentrated in the suburbs. An official said that employees "apparently took it on themselves to make a special effort to get in, and they did."

Interior said 530 of its 5,165 employees were absent either on sick leave or normal vacation time.

Health, Education and Welfare did not make a headcount but officials estimated that the turnout was normal. In some agencies, such as Office of Education and Office of Economic Opportunity, the absentee rate was higher than normal but nobody would say how much higher.

A Commerce aide said the absenteeism was "slightly higher" than for this time of year. The public information office had only one man out, and he called in on annual leave saying he had a home repair problem.

The Justice Department said only about 5 per cent of its workforce—including the FBI — was out yesterday. An official said the normal absentee rate is 9 to 10 per cent for the department's 13,000 area employees.

A spokesman at the Central Intelligence Agency said turnout was normal among its workers at Langley, Va.

Most agency officials said there is no such thing as a "normal" daily absentee rate, because it rises and falls with flue, outbreaks, vacation time and holiday periods. But the typical federal work-year is 260 days. Out of that year, the average employee takes about 20 days of vacation, and the normal sick leave usage is about six days. Using those figures, a daily normal absentee rate of 10 per cent could be expected.

If yesterday's official statistics are correct, it appears that the turnout—for a variety of reasons—was better than usual.

**Retirement Front:** The House retirement subcommittee has cleared an administration-backed bill that would wipe out the deadline for people who rush into retirement to qualify for cost-of-living bonuses. The deadline for retirement to get a 4.5 per cent bonus now is May 31.

But the bill, scheduled for House action May 17, would eliminate the rush. The measure by Rep. Thaddeus J. Dulski (D-N.Y.) would guarantee workers who stayed past any cost-of-living deadline the minimum increase. The Senate is also set to move quickly, and action in both houses could come before the current May 31 deadline.

## CIA gets the Treaty

Thirty-five people marched and one rode horseback to Langley, Virginia, Wednesday to take the People's Peace Treaty to the CIA.

It had been arranged that a representative of CIA would come out to meet with the group if no attempt was made to enter the grounds or "touch" the fence. (It might be electrified, one of the demonstration coordinators said.)

The CIA made sure that it would have up to the minute information on the protest by sending at least 5 cars to drive back and forth past the Friends Meeting House in Langley where the small group was forming. A photographer was positioned on a hill overlooking the march route.

The demonstrators were stopped about a hundred feet from the gate. They stood quietly, holding a large NLF flag and an upside-down US flag until a man came out who identified himself as Joseph Goodwin, assistant to the director of the CIA.

Goodwin asked by one of the demonstrators (who said he was a former military intelligence agent) why an organization such as the CIA was needed in a "free society".

Goodwin suggested that this be taken up with the legislative and executive branches of the government.

Then the man from the CIA, the first US agency to become involved in Vietnam after the French left, and which is still a kind of leading edge of the American military and paramilitary actions against the Vietnamese people, stood stiffly and blank-faced while the People's Treaty was read aloud.

When asked if he would sign it he blankly intoned that he was "not authorized to sign a peace treaty." The demonstrators paid him no further attention and shortly he turned and walked back through the gate while the people's representatives moved up one by one to put their signatures to the treaty.

As they left, the marchers attempted to hand leaflets and copies of the treaty to CIA employees driving home. Few accepted them.

On May 3 and 4, North Virginia Mayday will engage in non-violent civil disobedience to block the Virginia side of the 14th St. bridge. People wanting information can reach them at 321-7790.



# What's a Nice Place Like Arlington Going to Do with All Those People?

By Jack Fraser

**A**RLINGTON IS A SIBIRINE, a paradox a mess, and a surprise.

It is not as good a community as it should be nor as bad as many outsiders believe it to be. An Indian stronghold—not safe for Englishmen until 1722, 114 years after Captain John Smith's visit—it became part of the District of Columbia at George Washington's order. It was a Civil War rampart but never a battlefield, then a rustic summer escape for Washingtonians, finally perhaps the best-known World War II and postwar bedroom boomtown. Men and women pushed papers in the faintly activist agencies created by FHR and drove across the Potomac at night to water lawns, keep THEM out, and elect Joel T. Broyhill their spokesman. The nation was safe from social revolution as long as these lifers had burrowed from within while the cabinet secretaries lit the skies, then vanished.

No urban renewal or public housing for Arlington—as it turned out this was unforeseen sophistication—and no acceptance of any portion of Washington's race dilemma. Arlington's best-known residents were to be the dead at Arlington Cemetery and American Nazi Party leader George Lincoln Rockwell, extinguished near a neighborhood laundromat.

Western corner of the diamond that once incorporated the District of Columbia (along with Alexandria, it was returned to Virginia in 1846), Arlington's wooded hills, broken by plunging spouts and runs, roll from Falls Church and near the CIA at Langley to the river and National Airport. One can walk across Arlington in an afternoon. It was here that Robert E. Lee accepted the call of the Confederacy and the war's postwar southern strategy would bloom with people who worked for the government

by day, lambasting it at night.

That song is ended but the memory lingers on.

In fact, Arlington was never so monolithic. Even it could not accept Goldwater and it often elected Democrats to the legislature and county board while giving Broyhill eighteen years on Capitol Hill. It built superior schools, was the first county to adopt the county manager form of government by referendum, remained free of the sordid developer-linked corruption that bedeviled other Washington suburbs, was enthusiastic for Metro, preserved its incomparable riverfront (except at Key Bridge), developed parks and wood preserves, and above all, remained a good place to live.

Today, as it emits evidence of growing social maturity and a willingness to accept change and make it work for a more varied and exciting community, Arlington faces a land and money squeeze. It is an aging suburb, bypassed by the wunderkind sprawl of Fairfax County. It is not as interesting as Alexandria nor as fashionable as McLean or Montgomery County. It is too close to downtown Washington to remain only a bedroom, too valuable to speculators in office space to evade rezoning pressure, too strategic to avoid freeways. It is in danger of losing its greatest treasure—neighborhoods where the middle class can dwell with trees and yards away from the crime and drugs of the District, the radical chic of Georgetown, and the interior decoration-country club syndrome of Bethesda.

"We are part of the central city. We're not a suburb when we have a hundred thousand jobs and in migration to work," notes Arlington County Manager Bert W. Johnson. Crime, joblessness, housing pressures on the old,

dissatisfaction by blacks, rundown commercial strips, sagging retail sales, and environmental perils threaten the good life. Although its property tax rate (\$3.83 plus a water-sewer charge) is the lowest in metropolitan Washington, county officials insist, "We have just about run out of gimmicks for raising revenues."

"It's an old cliché about a community being at the crossroads. But for Arlington, it's true," says Stuart W. Bendelow, an economist with the Metropolitan Washington Council of Governments (cog). "I live there myself and I see some of the things Arlington has been able to avoid for a number of years but which can't be passed off longer. How citizens react in the next five years will decide it."

Smallest of Virginia's 96 counties, only 25.7 square miles (5 square miles is controlled by the Feds), with no cities, 174,284 residents, and family income below Montgomery and Fairfax counties, Arlington is vexed by these puzzles:

1. How to live with Interstate 66 and modify or minimize its \$80 million, 6.9-mile path from Rosslyn to Fairfax's subdivisions. And how to stop or minimize the Four Mile Run Parkway and Bluemont Expressway now on county lists for the future.

2. How to do better, learning from mistakes at Rosslyn and the Crystal City-Jeff Davis corridor of office complexes, with the development nodes expected to sprout at Pentagon City and Metro subway stops.

3. How to retain middle-class, single-family residential preserves, plus low-rent garden apartments for the old and young, and perhaps even find space for policemen, teachers, and low-rung government workers. (Average cost of a home selling in Arlington today is around \$38,000, says H. Harland Crowell, past president of the Virginia Real Estate Association. Most of the higher priced homes are in North Arlington.)

4. How to inject some pizzazz into what can be a stupefying monotony of neat brick houses, Seven-Eleven stores and corner drive-ins, and sealed off black ghettos, relieved, to be sure, by Arlington's awesome front door of the George Washington Memorial Parkway and the Potomac River. Arlington can be dreadfully dull, with only a handful of worthwhile places to eat and most attractions out of town. Children can mature, never knowing there are other worlds of diversion, danger, and opportunity.

Coinciding with these moments of crisis is a census that cuts across Arlington's volatile hometown politics:

29 APR 1971

# Trouble Expected In Bridge Areas

STATINTL

By JACK DABNEY

SUN Asst. Executive Editor

Both the Arlington government and the anti-war militants agree that the May Day activities slated to begin Saturday will affect Northern Virginia, but neither is willing to reveal its estimate on what is about to take place and what counter-measures will be taken.

Dave Brazda, ad hoc leader of the Northern Virginia Coalition and a member of the May Day Tribe (organizers of the week-long, Washington-emphasis protest activity) was hesitant to reveal to the press what his people have planned beyond the long-stated goal of blocking bridges into the District beginning Monday.

Arlington County Manager Bert W. Johnson has said he doesn't "really think that it's in the public interest" to reveal any of the details of an obviously intensive interjurisdictional police effort to control the demonstrators.

Brazda said the May Day Tribe has decided to hold Virginia activity to a minimum because of "the extent of the oppression possible from Virginia police."

However, when queried about rumors that Northern Virginia high school students were being exhorted to abandon their cars in intersections this side of the river to tie up traffic, Brazda hedged and finally admitted that such an activity is "probably under consideration."

Johnson refused to say whether or not Arlington was placing any credence in the rumored Northern Virginia forced tieup but did say of the protest in general, "We've given the matter concerted and thoughtful study," and that he feels forces this side of the river will be "equal." He did not say what it was the forces would be equal to.

He also declined — on the grounds of "public interest" — to comment on rumors that Arlington would have a sizable contingent of Virginia State troopers under its command.

Fairfax County's plans to counter May Day activities are to be formalized today or tomorrow. Indications are that that county's police force is expecting any trouble it may receive to come from traffic problems on certain roadways feeding into target bridges.

Meanwhile, a mini-confrontation was staged yesterday at the Langley headquarters of the Central Intelligence Agency.

A group of protestors, under the leadership of Brazda, marched from a Quaker meeting hall in Langley to the gates of the CIO. The banner-waving group met with a spokesman from the government and demanded he sign a copy of the "People's Peace Treaty" (calling for an immediate end to American activity in Southeast Asia.).

The confrontation broke up peacefully.



## 200 Arrested; Bond Raised For Protesters

By Carl Bernstein  
and Donald E. Graham  
Washington Post Staff Writers

On orders from Police Chief Jerry V. Wilson, more than 200 antiwar protesters were denied yesterday the customary opportunity to be released from jail by paying \$10 collateral following arrest on disorderly conduct charges.

Wilson, citing authority he says the chief of police is granted under the District of Columbia Code, ordered that each demonstrator arrested yesterday at Selective Service headquarters be brought before a judge for imposition of bond.

Philip J. Hirschkop, attorney for the two principal organizations sponsoring the antiwar demonstrations here, accused Wilson of breaking faith with demonstrators, breaking the law and "precipitating another Chicago" by his action.

Wilson said he acted because the protesters in Washington for current demonstrations "are not occasional or accidental violators (of the law), but people who have come here to disrupt the government of the country and the commerce of the city."

Last night, four judges sitting in an after-hours session at Superior Court, set \$250 bonds for most of those arrested at Selective Service headquarters and permitted defendants to be released upon payment of 10 per cent of the total. Some Washington area residents were released on personal recognizance. At least one bond was set as high as \$500.

The demonstrators, all of whom were arrested before 8:30 a.m. for blocking entrances to Selective Service headquarters, did not appear before judges until after 7 p.m. Although exact figures were not available, most were unable to post immediately the \$25 partial bonds and were returned to cellblocks. The hearings ended at 12:20 a.m. today.

During the hearings, some defense attorneys — most of them from the Georgetown University legal intern program — were denied access to the

Addison Bowman, professor of law at Georgetown and chief of the intern program, called Wilson's action "preventive detention."

Wilson's refusal to allow the demonstrators to post the traditional \$10 collateral was described as unprecedented by a spokesman for the metropolitan police department.

The chief also sent a formal request to the Superior Court's board of judges yesterday that collateral on arrests for disorderly conduct, crossing police lines and obstructing traffic be raised from \$10 to \$50 for persons arrested during demonstration. The chief said this had been done for past protests here.

The board referred the request to its rules committee, which did not announce a decision yesterday.

Chief Wilson's action came as several leading Senate opponents of the war sharply questioned the effectiveness of civil disobedience to force an end to American military involvement in Indochina.

Meanwhile, protesters numbering fewer than 200 took their campaign against the war to the headquarters of the Internal Revenue Service and the Central Intelligence Agency.

In hearings before the Senate Foreign Relations Committee, antiwar protesters were cautioned that their tactics could be counterproductive by Sens. Jacob K. Javits (R-N.Y.), George D. Aiken (R-Vt.), and Chairman J. William Fulbright (D-Ark.).

Sen. George McGovern (D-S.D.), the only announced Democratic presidential candidate, told a press conference that "I can't support" such tactics as blocking entrances to government buildings.

A massive campaign of civil disobedience is scheduled to begin here on May 3, aimed at shutting down the government and forcing an end to the war.

Senate Minority Leader Hugh Scott (R-Pa.) said yesterday he had received "classified information" that the coming Mayday demonstrations in Washington have been planned with the help of the chief National Liberation Front negotiator in Paris, Madame Nguyen Thi Binh.

Scott also asserted that the NLF negotiator had discussed the kidnapping of "prominent Americans" with unnamed "radicals" from the United States.

His allegations were described as "paranoid" by one of several antiwar protesters who testified before the Foreign Relations Committee, of which Scott is a member.

In a separate action, the House Internal Security Committee voted 4 to 1 yesterday to investigate the two principal organizations sponsoring the current antiwar demonstrations here, the National Peace Action Coalition and the People's Coalition for Peace and Justice.

The arrests at Selective Service headquarters followed a chilly overnight vigil by about 60 protesters. At dawn, they were joined by more than 160 others, many of whom had blocked entry to the building at 1724 F St. NW the previous day.

Most of the demonstrators, who proclaimed their nonviolence when they began the sit-in Tuesday morning, went limp as police systematically moved into the crowd to arrest them one by one.

Sixteen of the protesters were charged with unlawful entry and 206 with disorderly conduct.

Shortly after he supervised the arrests, Chief Wilson telephoned Chief Judge Harold H. Greene of Superior Court to request that the demonstrators be brought before judges for setting of bond, instead of being permitted to post collateral. Collateral is a payment that may be forfeited in lieu of a court appearance.

Wilson said that Greene made no immediate response to his request, but noted that the unusual court session was scheduled last night. The chief judge was unavailable for comment.

Chief Wilson said he told the judge that protesters have not only threatened disruptions, but that 405 arrests in antiwar demonstrations had been made here recently.

The figure includes arrests that took place during last week's protests by Vietnam Veterans Against the War; Saturday's massive antiwar march; and protests at the Capitol and Selective Service headquarters this week.

Hirschkop said the chief's action violated an agreement he reached with police counsel Gerald Caplan. Hirschkop said Caplan promised to notify him of any increases in

Noting that he had advised demonstrators at a meeting that they would be able to post collateral, Hirschkop said Wilson's actions "couldn't be in worse faith."

"I've been trying to keep things quiet," he said, referring to possible violence at coming demonstrations "but now the people at the camp are circulating self-defense manuals."

A reporter at the Mayday camp in West Potomac Park however, found no evidence last night of unusual activity, though training of protesters in nonviolent resistance continued.

Caplan said he would normally have notified Hirschkop of a change in collateral procedures "as a matter of courtesy," but that he did not do so yesterday. He said it was "an oversight."

Wilson consulted Corporation Counsel C. Francis Murphy before today's action. Caplan said he was not notified.

Yesterday's protest at the Internal Revenue Service's headquarters at 1111 Constitution Ave. NW was the smallest and most low-keyed of this week's "People's Lobby" activities.

About 100 demonstrators talked quietly at lunchtime with IRS employees, sang, chanted and posted signs on the doorways of the building. The demonstration was led by members of War Tax Resistance.

At the Mayday encampment at West Potomac Park yesterday, demonstrators agreed to remove several wooden lean-tos after an attorney for the Interior Department objected to their construction.

Under an agreement negotiated between the demonstrators and Interior, no wooden structures are permitted there, a maximum of six tents may be set up and overnight camping is prohibited.

Thus far, Interior has not objected to the more than 100 tents on the site or the fact that several hundred protesters have slept there each night this week.

# D.C. Toughens Handling of Protesters

By LANCE GAY  
Star Staff Writer

District law enforcement officials are toughening their approach toward war protesters who are distributing leaflets and sitting in at government agencies this week.

In an unprecedented move, more than 200 protesters arrested yesterday outside Selective Service headquarters were not allowed to pay the customary \$10 to be released from jail.

Instead, the group spent the day in jail on disorderly conduct charges, awaiting arraignments which finally came late last night before specially called judges in D.C. Superior Court.

The marathon arraignment session took place before four Superior Court judges and continued nonstop into the early hours this morning.

## Appearances Ordered

Yesterday the police department unexpectedly announced that they would refuse to allow the arrested protesters to post bonds—normally set at \$10 on disorderly conduct charges. Instead, Police Chief Jerry V. Wilson ordered that each arrested demonstrator appear before a judge for imposition of a bond.

Wilson's move was based on a city statute which says police may accept collateral when the courts are not in session, but which does not provide for police accepting collateral when the courts are in session.

In addition, Wilson asked the court to raise the amount of collateral for arrested protesters from \$10 to \$30 for the duration of anti-war demonstrations here scheduled to last through May 5.

## Opposed to 'Turnstile'

"We do not want to conduct a turnstile type of game with those who come here with the avowed purpose of disrupting the city," Gerald Caplan, general counsel for the police department, explained yesterday.

Caplan added that Wilson made his decision because he felt "the courts are in a better position to deal with the demonstrators once they are arrested."

Wilson's move brought an immediate reply from Philip J. Hirschkop, attorney for two principal organizations sponsoring the antiwar activities. The lawyer accused Wilson of breaking faith with demonstrators, breaking the law, and "precipitating another Chicago" by his actions.

## \$250 Bonds

The demonstrators were arraigned in knots of four or six, in a six-hour session at Superior Court last night. The hastily convened court set \$250 bonds for most of these arrested at Selective Service headquarters yesterday, but permitted the defendants to be released upon cash payments of 10 percent of the bonds.

However, few were able to post the \$25 immediately, and most remained behind bars this morning.

Superior Court Chief Judge Harold H. Greene yesterday referred Wilson's request for an increase in the collateral to the court's rules committee for study. The committee did not announce a decision yesterday.

Anti-war groups today have slated demonstrations at the Department of Health, Education and Welfare and at the Army Strategic Tactics Analysis Group in Bethesda.

## Road Tie-up Planned

The demonstrations are being coordinated by the militant People's Coalition for Peace and Justice and are slated to climax in a massive disruption of commuter roads and bridges Monday and Tuesday and a sit-in at the Capitol on Wednesday.

A number of governmental agencies are formulating "contingency" plans for next week's demonstrations. If there is a major blockage of the Voice of America offices here, the agency has planned to divert staff to New York. Other agencies are forming plans for directing employees to work through barricades or underground tunnels.

Late yesterday, top officials of the Defense and Justice Department met to consider possible military moves in preparation for the threatened tie-up of government operations next week.

Among those in a closed conference at the Pentagon were Deputy Atty. Gen. Richard Kleindienst, Undersecretary of the Army Thaddeus Beal and Army Lt. Gen. Hugh Exton.

There was no word on any

## Other Demonstrations

In addition to activities at Selective Service Headquarters yesterday morning, war protesters also were active yesterday at the Central Intelligence Agency and the Internal Revenue Service.

About 33 young people, carrying Viet Cong flags and calling themselves the Northern Virginia Mayday movement, marched to the sprawling CIA headquarters in Langley, Va., yesterday afternoon. Another group of young people quietly demonstrated in front of the Internal Revenue Service headquarters, trying to convince IRS employees to stop paying taxes which go towards the war effort.

Last night as the denim-clad army returned to their West Potomac Park camp, they were joined nearby by the vanguard of the Southern Christian Leadership Conference's mule train. SCLC coordinators plan to rebuild "Resurrection City" at the site of the 1968 encampment just south of the reflecting pool near the Lincoln Memorial.

U.S. Park police have granted a permit to the group to use the grounds for a week. The SCLC is permitted to set up only five small tents, and demonstrators will have to sleep in the open under bedrolls.

## WASHINGTON PANORAMA

CIA Chief Helms  
Defends Agency

By EDGAR POE

(T-P Staff Correspondent)

WASHINGTON — The Central Intelligence Agency (CIA), created in 1917 during the Truman Administration, reports to the President, the secretaries of state and defense, and other high ranking U.S. officials on things taking place abroad.

The CIA does not advertise itself. Neither does it defend itself from frequent attacks. It is not a totally secret organization, nevertheless, many people regard it as a glamorous, cloak and dagger government agency.

Unlike the Federal Bureau of Investigation (FBI) which operates primarily in domestic and internal affairs, the CIA has no clandestine operations within the U.S. However, both agencies work closely together.

Because the CIA has found itself the center of more than one controversy in recent years, and because of the intelligence nature of its operation, it was news recently when Richard Helms, director of Central Intelligence, made the first major speech that any director has made since the agency was established.

After he made the address, some observers expressed conviction that Helms and the directors before him should have made public addresses. Many sincere Americans, of course, doubt the need for such an agency in a democratic society.

HELMs, addressing the American Society of Newspaper Editors, sought to dispel the idea that the CIA is an invisible government, a law unto itself and subject to no controls. In the eyes of some people, its activities are regarded as repugnant to a democratic society. Helms said that while he respects this view, he does not agree with it at all.

"There is a charge, for example, that the Central Intelligence Agency is somehow involved in the world drug traffic," Helms told the editors. "We are not . . . in fact, we are heavily engaged in tracing the foreign roots of the drug traffic for the Bureau of Narcotics and Dangerous Drugs, and this arduous nonsense helps none at all."

As the President's principal intelligence officer, Helms is an adviser to the National Security Council. When there is debate over policy options, he said he does not line up with either side.

"Even in this day of the information explosion," he said, "we read everything that comes into Washington — De-

is exposed, it gives the opposition a starting point to work against the U.S. That is why, Helms said, "we seek to preserve a secrecy which, I should note, is honored without question in many thoroughly democratic countries."

"In Great Britain and other European nations," he said, "it would be unheard of for the head of the intelligence service to talk to a non-governmental group. In London, in fact, the location of the Intelligence Service headquarters and the identity of its chief have long been respected as state secrets by the British public, press and officialdom."

Here in the nation's capital nearly everybody knows that the CIA has its headquarters with its many employees at Langley, Va., just a few miles across the Potomac River from Washington. Langley is just a mile or so from McLean, Va., and only 7½ miles from the center of Washington.



POE

partment of State cables, Department of Defense traffic, our own reports, and the American and foreign information media," said Helms, a former newspaperman. "Then we bring to bear on that information every last bit of expert analysis at the service of the U.S. Government."

IT IS OBVIOUS, of course, that some of the most important intelligence targets are in Communist countries where intelligence collection is impeded greatly by the security defense of police states.

If any significant portion of the CIA's secret organization

STATINTL

## Jury told of spy agency story in 'plot' case

From Our Correspondent  
Leeds, April 23

Mr. Wilfred Thompson, aged 57, a businessman, said at Leeds Assizes today that he was told that the Central Intelligence Agency, the American secret service, wanted to buy his bungalow home to use as a headquarters. In return he was to receive a farm in Wales.

He said that when he went to see the farm at Upper Colwyn Bay an old lady told him it was not being sold. He returned to Yorkshire and found a "For Sale" notice in the garden.

Mr. Thompson, of Barnsley Road, Doncaster, is the alleged victim of a plot said to have bled him of a £150,000 personal fortune. The jury heard he now worked as a labourer.

Three Doncaster men are accused of fraud. They are Ronald Rainey, aged 47, of Zetland Road; Peter Heyes, aged 35, company director, of Bawtry Road; and Kenneth Taylor, aged 35, motor dealer, of Balmoral Road.

Mr. Rainey has admitted two charges, one of forgery and one of false pretences. He has denied 15 other charges of forgery, conspiracy to defraud, obtaining by deception and fraudulent conversion. Mr. Heyes denies five charges and Mr. Taylor two charges.

Mr. Thompson told the jury today of signing a document in a barber's shop which gave Mr. Rainey power of attorney to sell a house. Mr. Thompson said: "Rainey told me that the C.I.A. wanted to buy my home. He said they would make it into a headquarters. I did not want my home sold to anyone."

In cross-examination by Mr. Humphrey Potts, Q.C., for the defence of Mr. Rainey, Mr. Thompson said he had had to put so much money into the consortium that his only hope of getting money back was to put in more.

Mr. Potts: A man of experience would not be hoodwinked by talk of a consortium with men in it like Harold Wilson and Quintin Hogg?

Mr. Thompson:—I have been, sir.

Mr. Potts.—You want to be thought a rather important person?

Mr. Thompson.—No, sir.  
The trial was adjourned

24 APR 1971



## CIA Approves War Protest on Langley Grounds

A northern Virginia anti-war group has been given permission to demonstrate on the grounds of the Central Intelligence Agency next Wednesday.

Richard Pollock, a spokesman for Northern Virginia Mayday, said the demonstration is planned to protest the CIA's "chief role in the execution of American genocidal and biocidal missions in Southeast Asia."

CIA has given Northern Virginia Mayday authority to demonstrate on a selected section of its physical grounds in Langley, Va., Pollock said. Demonstrators will leaflet cars entering and leaving the grounds.

Plans call for them to rally at the Quaker meeting house, 6410 Georgetown Pike at 2 P.M. before shifting to the demonstration site at 3:30 P.M.

STATINTL

# The Non-Selling of the Central Intelligence Agency

## Publicity-Shy CIA Shuns

## Public Relations

STATINTL

By Bob Woodward  
Sentinel Reporter

"We have no public relations department," said the telephone operator at the Central Intelligence Agency after answering a call with the simple statement of the number called, "351-1100."

According to an agency spokesman, the CIA has "no press relations, no public relations. Most of the time we say, 'No comment.' . . . and always on the substance of intelligence, the method and sources."

In Contrast to the \$30 million in Pentagon public relations spending reported in the controversial CBS-TV documentary, "The Selling of the Pentagon," the CIA does not appear to be very much in the public relations business.

Richard Helms, CIA director, however, broke a five year precedent last week and gave his first public speech, but public contact with the CIA is generally confined to recruitment of new employees and dealings with "patriotic people" who have traveled abroad, the agency spokesman explained.

The CIA "only receives 10 to 12 calls a day from the press, students, free lance writers and public," a spokesman said. He added, "This is an open democratic society. When I can answer, I do." The spokesman said he and his assistant are the only staff members who handle these few, public inquiries.

New CIA employees are recruited at "200 to 300 universities each year," he said. The chief foreign intelligence agency runs no TV ads, no radio ads and only an occasional printed advertisement, the spokesman said. When objections are filed about campus recruitment, the CIA moves to the nearest federal office building, he explained.

He said he could not disclose how many employees the CIA has or even discuss the CIA budget since it is only to be dealt with confidentially by Presidential representatives

and Congressional committees.

Another informed government official estimated that the CIA has over 10,000 employees in the U.S., several thousand abroad on the payroll, and spends well over \$500 million a year.

"We are characterized as the silent service of the government," the official spokesman said.

Telephone callers to the CIA are quietly greeted by the operator with the number, 351-1100, instead of the agency name because "operators across the country could be heard opening their keys" to listen to conversations years ago when the name was used after a call was answered, the spokesman said.

The name on the CIA headquarters building in McLean, Va. was taken down years ago "during the Kennedy administration because of too many tourists," he remarked.

"Patriotic people" who call after traveling abroad are referred to a downtown Washington, D.C. office to give reports, the spokesman said. He would not give the address of this office.

If a telephone caller insists on giving information over the telephone and not in person, the CIA refuses, the spokesman said. "We assume it's a screwball," he added.

A request for information on the CIA brought the following information in the next mail: a 32-page pamphlet of quotations from U.S. Presidents from George Washington to Richard M. Nixon on the value of intelligence; a recruiting brochure on the "Intelligence Professions"; a small general description of the agency; and two magazine article reprints, one an interview with a former CIA director, Admiral William F. Raborn, and another asserting "Caps and gowns -- not cloaks and daggers -- hang in the guarded halls of 'spy' headquarters, actually a great center of area studies."

Helms is a Democrat but has been kept on as CIA director by President Nixon. An informed government source said it is likely Helms will remain the director, and Nixon has been pleased with his work, though initial intentions were only to keep the Jonson appointee on for one year after Nixon took office.

Last week Helms gave his first public speech in nearly five years as head of the agency. Speaking before the American Society of Newspaper Editors, April 14, Helms said the CIA was not an "invisible government -- a law unto itself, engaged in provocative, covert activities repugnant to a democratic society, and subject to no controls"

The law establishing the agency in 1947, Helms said, "specifically forbids the Central Intelligence Agency from having any police, subpoena, or law-enforcement powers . . . in short, we do not target on American citizens."

Helms went on to outline the specific Congressional and Presidential controls to which the CIA is subject. Emphasizing the restriction on CIA involvement in either politics, foreign policy, or even answering its critics, Helms said:

"The nation must to a degree take it on faith that we too are honorable men devoted to her service."

He attacked CIA critics who take "advantage of the traditional silence of those engaged in intelligence (and) say things that are either vicious, or just plain silly." Helms indirectly called a recent Ramparts magazine article alleging CIA involvement in the drug traffic in Laos as such an "example."

Asked about Helms' precedent-breaking speech, a CIA spokesman said it reflected "a general concern that built up over the years. People have been misled by the melodrama of spy stories. It was timely and

he thought it was in the national interest."

The spokesman would neither confirm nor deny various newspaper speculations that Helms gave the speech because of recent attacks on surveillance by the FBI which is often linked with the CIA. Also, the CIA has been rather widely charged with extensive involvement in the Vietnam war. In his speech Helms said, "We cannot and must not take sides. The role of intelligence in policy formulation is limited to providing facts -- the agreed facts -- and the whole known range of facts."

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APR 20 1971

## NO BLANK CHECK FOR GOVERNMENT

# Victory for Due Process: Appeals Court Pulls Checkrein on Wiretaps

The United States Court of Appeals for the Sixth Circuit in Cincinnati has prudently short-circuited the government's broadly asserted wiretap powers, upholding a Detroit federal court ruling that the Justice Department is violating the Constitution by wiretapping without prior court authorization.

The ruling challenges Attorney Gen. Mitchell's assertion of the so-called "inherent" powers of a president to authorize electronic or other surveillance techniques in cases involving the national security, including his own authority, representing the White House, to alone determine the need "to protect the nation from attempts of domestic organizations to attack and subvert the existing structure of government."

In other words, the executive branch has an "inherent right" to tap wires any time it suspects a domestic

organization of being radical or subversive, and can do so without a warrant.

Both the district and appeals courts said not so—that no such right exists under the Constitution—and we salute the rulings as forthright and unequivocal support of the Fourth Amendment requirement that warrants be issued, on probable cause, before a place is searched.

Electronic snooping has been gaining ground at every turn, and it has been all too easy for the government to get court permission to conduct electronic spying. As we noted when the question first arose (in connection with the Michigan trial of three "White Panthers" charged with bombing the Ann Arbor offices of the Central Intelligence Agency), to ignore due process of law by giving government such power without even a court check could lead to a time when due process is meaningless

and Americans are subject to the whims of whatever administration is in power.

The Supreme Court will doubtless have the final word on this, and it must be hoped the appeals court finding is upheld. In the name of our essential freedoms, the "inherent right" argument ought to be knocked in the head for good. If Mr. Mitchell had his way, the government could snoop on anybody or any group at any time—and who would decide whether a given person or organization was radical or subversive?

Even granting the best of intentions on the part of the present administration, this is an open-ended doctrine that in the wrong hands could lead to spying without limit. This is inimical to the functioning of a free society.

If a president has the power to suspend one constitutional protection, in the name of national security, then he has the power to suspend all others by the same fiat—free speech, free press, trial by jury, due process of law. Such power cannot be countenanced.

If the government deems it necessary to the national security to use wiretap or similar methods of surveillance, then it must first convince a judge there is probable cause for the action. No responsible judge will hesitate if convinced the security of the nation is involved.



# III-1-13 of the 6

By BENJAMIN

WASHINGTON,

**IT** CAN tell when he walks in the door what sort of a day it's been," says his wife, Cynthia. "Some days he has on what I call his 'Oriental look'—totally inscrutable. I know better than to ask what's happened. He'll tell when he's ready, not before, but even when he talks he's terribly discreet."

The Director of the Central Intelligence Agency, Richard Helms, apparently brings his problems home from the office like any other husband—at least to hear Cynthia Helms tell it. And these days Helms's job is definitely one of the most problem-ridden in Washington.

Successive budget cuts, balance of payments restrictions, bureaucratic rivalries and press disclosures that have hurt the C.I.A.'s public image have all reduced its operations considerably. President Nixon has recently ordered a fiscal and management investigation into the intelligence "community," a task which may take longer and prove more difficult than even Nixon suspects because of the capacity of the intelligence agencies to hide in the bureaucratic thickets. Both Nixon and his principal foreign affairs adviser,

**BENJAMIN WELLES** covers national security affairs as a correspondent in the Washington bureau of the Times.

Henry Kissinger, are said to regard the community as a mixed blessing: intrinsically important to the United States but far too big and too prone to obscure differences of opinion—or, sometimes, no opinion—behind a screen of words.

Considered a cold-blooded necessity in the Cold War days, the agency now seems to many students, liberal intellectuals and Congressmen, to be undemocratic, conspiratorial, sinister. The revelations in recent years that have made the agency suspect include its activities in Southeast Asia, the Congo, Guatemala, the Bay of Pigs; the U-2 flights; its secret funding through "front" foundations of the National Student Association plus private cultural, women's and lawyers' groups; and, finally, two years ago, the Green Berets affair.

The 58-year-old Helms knows all this, better than most. As the first career intelligence officer to reach the

top since the C.I.A. was created in 1947, his goal has been to professionalize the agency and restore it to respectability. In fact, one of his chief preoccupations has been to erase the image of the Director as a man who moves in lavish mystery, jetting secretly around the world to make policy with prime ministers, generals and kings, and brushing aside, on the pretext of "security," the public's vague fears and Congress's probing questions. If Helms rules an "invisible empire," as the C.I.A. has sometimes been called, he is a very visible emperor.

While he tries to keep his lunches free for work, for example, he occasionally shows up at a restaurant with a friend for lunch: a light beer, a cold plate, one eye always on the clock. He prefers the Occidental, a tourist-frequented restaurant near the White House where, if he happens to be seen, there is likely to be less gossip than if he were observed entering a private home.

He likes the company of attractive women—young or old—and they find him a charming dinner partner and a good dancer.

"He's interesting—and interested in what you're saying," said Lydia Katzenbach, wife of the former Democratic Attorney General. "He's well-read and he doesn't try to substitute flirting for conversation, that old Princeton '43 routine that some of the columnists around town use."

Some of his critics complain that he is too close to the press—even though most agree that he uses it, with rare finesse, for his own and his agency's ends. Some dislike the frequent mention of Helms and his handsome wife in the gossip columns and society pages of the nation's capital.

Yet, if he gives the appearance of insouciance—he is witty, gregarious, friendly—the reserve is there, like a high-voltage electric barrier, just beneath the surface. Helms is a mass of apparent contradictions: inwardly self-disciplined and outwardly relaxed, absorbed in the essential yet fascinated by the trivial. A former foreign correspondent, he observes much and can recall it with a sharpness that can astound, even hole in the first place—what gown each woman wore to a dinner and whose shoulder strap

STATINTL



The Washington Merry-Go-Round

## CIA Plotted to Blast Cuba Refinery

By Jack Anderson

The full, fantastic story of the Bay of Pigs has been buried for 16 years deep in the Central Intelligence Agency's fortresslike headquarters near Langley, Va.

All the world knows that CIA-trained Cuban exiles stormed ashore on a Cuban beachhead and were cut to pieces by Dictator Fidel Castro's militiamen 10 years ago today. But the CIA has concealed from the world how it continued to send assassination teams and commando squads against Castro.

Bit by bit, stories of these post-invasion sorties are leaking out. We have already revealed, for example, how the CIA used a swashbuckling underworld figure, John Roselli, to make six unsuccessful assassination attempts upon Castro.

The CIA assigned two trusted agents, Billy Harvey and "Big Jim" O'Connell, to direct the murder missions. On the first two tries, Roselli's assassins sought to slip poison pellets into Castro's food. The next four attempts were made by sniper teams equipped with high-powered Belgian rifles, explosives and two-way radios.

There were midnight powerboat dashes to secret landing spots on the Cuban coast and machine-gun exchanges in the dark of night with Cuban patrol boats. The last assas-

sination team actually reached a Havana rooftop within rifle range of Castro. But like the others, this squad also was caught and tortured.

## Refinery Raid

Now we have learned of a CIA plot to blow up Cuba's most productive oil refinery. Painstaking preparations were made, and a commando team was given intensive training.

Using U-2 photos to detail that they showed every bush, Maj. Edward Roderick, an Army engineer on loan to the CIA, constructed a map of the plant. He even figured out how mortars could be pre-aimed, then placed by commandos in a precise spot and fired on the run.

But he jettisoned the idea because a human error of an inch or two could send a mortar shell into an inhabited area. Then the whole plan was junked after President Kennedy's assassination.

We have also learned that the CIA scattered \$20 bills around like green confetti to finance the clandestine anti-Castro operations. Bales of money were delivered to Cuban exile leaders, who gave no accounting of how they spent it.

Some were stashed by men since killed. Other thousands were buried in former pirate lairs in the Florida Keys. Still more thousands were strewn on the beaches of Cuba where would-be raiders left their bones.

Yet some of the raiders survived. One of them, a young ex-Army captain named Bradley Ayers, has emerged from under cover. He has given us access to his notes, documents and draft chapters of a book he is writing about his raids for the CIA.

"The Cuban experience," he told us, "has been a plague on the national conscience as it has been on mine. I think it's high time that at least part of the story be told."

## CIA Assignment

A former paratrooper, pilot and demolitions expert, Captain Ayers was training range at Eglin Air Force Base, Fla., when he received orders to report to the Army's Special Activities Group in Washington.

He was put through physical, psychiatric and lie detector examinations for a week, then he was hustled over to the CIA's Cuban station.

He was questioned for three days by CIA officials who, finally satisfied, provided him with a cover story, phony documents and a ticket to Miami. He adopted the name Daniel B. Williams and was assigned to a CIA team called Paragon Air Service.

The CIA lodged Ayers and Roderick in a luxurious beach house in Key Biscayne. The two undercover Army men worked out of a CIA front—a columned building with the cover name of Zenith Technical Enterprises—on the south-

campus of Miami University. Through its doors passed some of the nation's most secret operatives: the Copper John Roselli, rugged Bill Harvey, "Rip" Robertson and a huge New Mexican remembered only as "The Big Indian."

Ayers got the assignment of training a tough Cuban cadre in the swamps of the Everglades and the beaches of the Keys. He was supposed to teach them enough surf landing skill, underwater swimming, demolition, boat handling and simple survival for them to lead commandos into Cuba to blow up the multi-million-dollar refinery.

The story of their night landings in Cuba and the great oil refinery fiasco will be told in a future column.

STATINTL

SACRAMENTO, CAL.

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APR 15 1971

## Court Checks Nixon On Wiretaps

The courts have served notice the Nixon administration has no authority to ignore the Fourth Amendment in the name of expediency, a fact which should have been amply evident to the Justice Department and the President.

The Sixth US Circuit Court of Appeals in Cincinnati upheld the protection of all citizens against unreasonable searches and seizures when it rejected evidence obtained through wiretapping without a court order. The use of electronic surveillance of private citizens has grown alarmingly during the present administration. It is good the court called a halt.

At issue was the case of a man accused of involvement in the bombing of a Central Intelligence Agency office in Ann Arbor, Mich., in 1968. Federal wiretaps were used to gather evidence against him, without prior recourse to court orders to determine whether such action was reasonable search.

The appeals court declared it was not, that it violated the Fourth Amendment. If the Fourth Amendment's protection are to have any meaning, they must apply to all — radical or any other citizen. To permit the expediency of internal security to override this constitutional protection would lay

every citizen open to government snooping with only the government in the role of judge, as to whether the invasion of privacy was legal.

The President has no authority to bypass the courts and order wiretaps on domestic groups suspected of being a threat to the country, the court ruled, and thereby it set down claims by the Nixon administration that in certain cases the safeguards of the Fourth Amendment may be overridden.

The court's ruling should constitute an ultimatum to the Justice Department as to the use of wiretapping.

It is not up to the President, as the government argued, to suspend the Constitution whenever he determines it interferes with guarding internal security against certain individuals or groups. If he can arrogate that kind of power to himself, what is to stop him from suspending any or all of the Constitution's protections?

This nation and its institutions are not so fragile they cannot survive without resorting to unconstitutional security methods. The day these become commonplace, the country will be in worse jeopardy than from any subversive factions to which it overreacts.

18 APR 1971

## Capitol Punishment

# Ping-Pong Gap

By Art Buchwald

STATINTL

STATINTL

It's very rare that the CIA gets caught flatfooted, but the other day when Red China invited the United States to send a table-tennis team to Peking, the Central Intelligence Agency discovered it had no champion ping-pong players in the organization whom it could send along on the trip.

CIA officials were going crazy trying to find someone before the U.S. team left for Peking last Saturday.

In panic, the CIA officials decided to hold a crash program in ping-pong. Neighbors who live around Langley, Va., where the top-secret agency is located, reported seeing truckloads of ping-pong tables going through the gates.

They have reported that they can't sleep at night because of the noise of thousands of balls being hit back and forth across the tables set up in the CIA gymnasium.

Any agent who ever played ping-pong in boy's camp or at the beach had been given leave from his regular duties and brought to Langley in hopes he might be developed into a champion ping-pong player before the U.S. team took off for Peking.

The CIA also held an Employees' Ping-Pong Tournament during lunch hour with cash prizes of up to \$100,000 of unaccountable funds to encourage more people to take up the sport.

Yet, despite these desperate measures, officials of the agency are pessimistic that they'll be able to develop anybody worthy of playing Red China at table tennis.

"What difference does it make if he isn't a champion?" I asked a CIA official.

"We have a serious problem," he said. "This is the first time we're playing Red China at any sport. Table tennis is the most important game in China."

"The USIA and the State Department want the United States to field the best team it can find, because they believe that if we can defeat the Chinese at ping-pong, it would be the greatest propaganda victory of the Cold War."

"On the other hand, the Joint Chiefs of Staff and the CIA feel it would be better to send a mediocre team and risk defeat in exchange for finding out what Mao-Tse-Tung is really thinking."

"The ideal, of course, would be to send a champion ping-pong player who also can figure out what is going on in Peking. But so far we can't find anybody."

"Why is that?" I asked. "Surely in this vast organization you must have some excellent table-tennis players."

"Unfortunately, most of our agents are golfers," he said sadly. "We also have some tennis players and a few people who play croquet. But no one here ever thought to recruit ping-pong players."

"Couldn't you borrow a champion player from another agency of the government?"

"The only one who could have qualified was a man who worked for the FBI and had won the intercollegiate ping-pong championship of 1956. But, unfortunately, he was fired a month ago for telling a friend he didn't like J. Edgar Hoover's barber."

"Then it looks like the United States table tennis team may have to go to Peking without CIA representation," I said.

"Unless we can come up with a sleeper," the official said. "Our recruiters are out on the college campuses right now and their orders are to find someone, anyone. It doesn't make any difference if he can pass a security clearance, as long as he has a vicious backhand."

"Will anyone be punished because the CIA was unprepared to provide an agent for the Red China table tennis tournament?" I asked.

"Our personnel director was demoted and transferred to Iceland the other day, but at the last minute President Nixon commuted his sentence."

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FOR THE RECORD: THE CHINESE WERE NOT CALLED

Maxine Cheshire is ill. Her VIP column will resume when she returns.

Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2

M - 21,533

S - 21,584

APR-1-2, 1974

# Domestic Spying Needs High-Level Shaking Out

RECENT DEVELOPMENTS indicate the necessity of full-scale review and reevaluation of all laws written and under review pertaining to the government's right and non-rights in the area of electronic surveillance of the nation's citizenry. Such a review is in order, that is, if provisions of the Constitution's 1st and 4th Amendments contained in the Bill of Rights are not to be twisted beyond recognition.

The people of this country are at least entitled to know to what extent their government has the right to listen in on them and then turn what they say against them. Storm signals are presently visible. Original wire-tap authority carefully legislated by Congress during the Johnson administration a few years ago may be turning into a runaway horse. The Nixon administration is applying the broadest interpretations of that right. At the same time, the federal courts — highest and lowest — are not in agreement. If they are, then the public is confused over the growing number of seemingly conflicting decisions issuing from the courts on the applications of "bugging" in individual cases.

It is time, therefore, indeed for the strict constructionists to get together and straighten out this mass of confusion. Domestic spying has become big business in this country. This is a chilling thought. Moreover, it is making tempers short and creating massive distrust among the people — even within the government itself. It is giving birth to individual timidity, spreading fear and creating paranoia. And it must stop.

We have, within recent weeks, learned that domestic spying, carried out by multiple federal agencies, has produced an overlapping effect

in which agents have outnumbered non-agents at various gatherings. In effect, spies have been spying on spies in pursuit of information on anybody — including those speaking the "opposite line." This has been revealed in the tactics of Army Intelligence units.

This is one kind of eavesdropping carried out by one agency which has no business in it. There are other kinds carried out by the FBI and the CIA — equally massive, equally subtle and now, equally frightening. But what of electronic surveillance?

Now we have Congress itself concerned and investigating the alleged "electronic eavesdropping" of its own membership as contained in charges made by Rep. Hale Boggs, D-La., against the FBI and Director J. Edgar Hoover. This is a most serious indictment — and if true — calls for equally serious remedial action within the FBI and the Justice Department. It is also essential that Rep. Boggs come forward soonest with specific information, if he has it.

There is no clearer indication, however, of differences within the judiciary itself than decisions handed down last week by the U.S. Supreme Court in a Constitutional interpretive 5-4 ruling and the 6th U.S. Circuit Court of Appeals in the case of Lawrence (Puni) Plamondon, 25-year-old White Panther leader accused of bombing a CIA office in Ann Arbor two and a half years ago.

In the first, the nation's highest tribunal put its stamp of approval on electronic eavesdropping by police of suspected narcotics dealers when a volunteer "informant" is "bugged" to pick up conversation with the suspect. The narrow majority ratio-

nale of the court is that in such instances the suspect suffers because of his misplaced trust in the informer, not because of the electronic device employed in the tactic.

Bugging of any kind is a miserable practice. As we have seen, it can sprout wings and run uncontrolled catching up innocents, damaging reputations and causing much grief.

But there we have it. The U.S. Court finds informer bugging not un-Constitutional. This runs much too fine a line for us, for what the court is saying is "watch what you say, to whom you say it — and trust nobody." That's a highly questionable directive to the people of this country.

In contrast, however, the 6th Circuit U.S. Appeals Court has ruled, 3-2, that the Justice Department cannot use wire-tap statements attributed to Plamondon to build a case against him without first revealing their contents to the defendant. Two other federal courts have ruled the opposite on the issue.

Is the Supreme Court interpretive ruling the same as or different from the Plamondon ruling? Are the two in conflict on the same issue of principle as applied to the right of free speech (1st Amendment) or rights against illegal search and seizure in their own persons (4th Amendment)? We sense that they are.

The mushrooming of domestic spying and growth of electronic surveillance capabilities in this country need a wringing out. The people at least have a right to know where they stand when they speak or write or to what rights of privacy they are entitled in their own domiciles or places of business.

KALAMAZOO, MICH.  
GAZETTE

E - 58,086  
S - 60,100

APR 12 1971

## *Wiretapping Should Be Subject To A Prior Court Order*

A strong blow for individual rights has been struck by the majority of a three-judge panel of the nine-member U.S. Sixth Circuit Court of Appeals.

The panel, in a 2-1 decision last week, upheld a Detroit Federal District Court's ruling that wiretapping without a court order, even in cases involving national security, is illegal.

The specific case involved White Panther party members charged with conspiracy in the 1968 bombing of an Ann Arbor Central Intelligence Agency (CIA) office.

The Detroit jurist had said that without the requirement of a court order prior to any search, "law enforcement officials would be permitted to make their own evaluation as to the reasonableness, the scope, and the evidence of probable cause for search."

He declared that the requirement for a prior court order, however, would make any authorized search reasonable and not in violation of Fourth Amendment protection against "unreasonable searches and seizures."

The office of U.S. Atty. Gen. John N. Mitchell has not yet indicated whether it will appeal the split decision to the full Appeals Court bench, which has jurisdiction over Michigan, Ohio, Tennessee and Kentucky, or the the U.S. Supreme Court, or whether it will let the ruling stand. Atty. Gen. Mitchell has maintained in the past that a president has the power to authorize phone taps to gather "national security" information.

If the decision is appealed, it is to be hoped that the current judicial finding is upheld.

Certainly any responsible judge would not hesitate to authorize wiretapping if he is convinced by the investigating authorities that the national security is involved. And nothing would be lost. But for such wiretapping to be allowed without a prior court order could give law enforcement officers great latitude in defining "national security." This could open the door to wiretapping "security" investigations of a dubious nature and compromise the free society of which Americans long have been proud.

BATTLE CREEK, MICH.  
ENQUIRER & NEWS

APR 11 1974  
E - 40,908  
S - 44,235

IN OUR OPINION:

## Constitutional rights protected by ruling

An assault on the rights guaranteed the American people by the Fourth Amendment was dealt another blow Thursday in Cincinnati when a U.S. Circuit Court of Appeals ruled that the government does not have the right to use wiretaps on U.S. citizens without court permission, even in cases which involve national security.

The Fourth Amendment deals with unreasonable searches and seizures and search warrants.

It is ironic that the Nixon Administration, which came to power partly on a law-and-order platform would be party to that assault.

But Atty.-Gen. John Mitchell in his zeal to catch possible criminals has overstepped the limits on police activity established by the Constitution, according to rulings by two U.S. judges.

The latest ruling, which becomes law in Michigan, Ohio, Tennessee and Kentucky, is the nation's first appeals court ruling on wiretapping in matters of national security.

It resulted from the trial of white Panther party leader Lawrence R. Plamondon, one of three persons accused of conspiracy in the 1968 bombing of an Ann Arbor Central Intelligence Agency office.

Federal Judge Damon J. Keith ruled in that case that the govern-

ment must disclose its wiretap logs of Plamondon's phone conversations, which were obtained without a judicial warrant. The point was that the wiretap was an invasion of privacy and amounted to a police search.

Judge Keith's comments on his ruling are of particular importance. He explained that not just Plamondon's rights were at stake, but that it concerned "the possible infringement of a fundamental freedom guaranteed to all American citizens."

Most of us might think that we as average citizens are not affected by such things, only those who engage in criminal activity are. Recent disclosures of military and FBI surveillance of "average" citizens, however, should be enough to remind us that equal application of the law is the best protection from abuse of our rights.

As Keith pointed out, we must not leave up to law enforcement officials the evaluation of whether probable cause exists to place a wiretap. That must remain the power of the courts.

Indications are that the government may appeal the ruling to the Supreme Court. If that happens, we believe the high court should send the assault on our Fourth Amendment rights to a final defeat.

CINCINNATI, OHIO  
ENQUIRER

APR  
M - 189,425  
S - 302,445

9 1977

# Court Ruling On Wire Tap Slaps Justice Department

The U. S. Court of Appeals in Cincinnati ruled Thursday that Attorney General John N. Mitchell must get court approval to eavesdrop in "domestic subversion" cases.

The ruling, a major defeat for the Justice Department, was the first by a federal appeals court on the issue.

Mitchell has insisted for the past two years that he could authorize on his own the use of wiretaps or hidden microphones to gather data about domestic threats to national security.

The department is now expect-

ed to appeal the issue to the Supreme Court.

Until Thursday, Mitchell's view of his authority had been upheld by two federal trial courts and rejected by two others.

The new ruling was in favor of a white Panther Party member facing trial on a charge of bombing a Central Intelligence Agency at Ann Arbor, Mich., on Sept. 29, 1968.

The opinion was written by Judge George Edwards, Detroit, Mich., with Chief Judge Harry Phillips, Nashville, Tenn., concurring and Judge Paul C. Weick, Akron, Ohio dissenting.

The ruling makes it illegal to eavesdrop on militant or radical groups and individuals in this country without a court order.

Thus, the Justice Department would be required, in any criminal cases against such groups or individuals, to hand over the logs of its secret eavesdropping to defense lawyers.

The defendant, Lawrence Robert (Pun) Plamondon, is one of three White Panther party members charged with the bombing.

In oral arguments before the three-judge Sixth Circuit panel last February, the government maintained the secrecy of certain electronic surveillance information can

be important for the protection of the country's citizens.

Arguing in reverse, William M. Kunstler of New York, one of the defense attorneys in the stormy trial of the "Chicago Seven" and a defense counsel for the White Panther Party members, told the court that the Fourth Amendment was at stake in the case.

Judge Edwards wrote:

"The government has not pointed to, and we do not find, one written phrase in the Constitution, in the statutory law, or in the case law of the United States, which exempts the President, the attorney general, or the federal law enforcement from the restrictions of the Fourth Amendment in the case at hand."

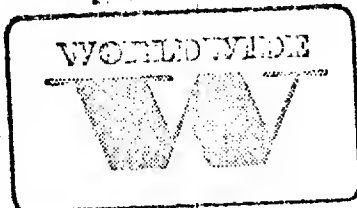
The District Court judge in Detroit, Damon J. Keith, was proper in finding that the conversations of Plamondon were illegally intercepted, the appellate court ruled, adding that his disclosure order was not an abuse of judicial discretion as the government had maintained.

GARDEN CITY, N.Y.  
NEWSDAY

STATINTL

E - 427,270

APR 9 1971



NATIONAL

### *Federal Wiretaps Limited*

The U.S. Court of Appeals in Cincinnati ruled yesterday that the Constitution forbids wiretapping without a court order in "domestic subversion" cases.

Rejecting the Nixon administration's claim of "inherent power" to tap the phones of suspected radicals without a judge's permission, the divided Sixth U.S. Circuit Court of Appeals held that the defense was entitled to inspect the records of the surveillance. Such surveillance is now carried out on approval of the U.S. Attorney General.

The court, in a 2-1 decision, ordered information on tapes, which were made by wiretapping without a court-issued warrant, disclosed to Lawrence R. Plamondon, a White Panther party member. He is charged with two others with the bombing of a Central Intelligence Agency office in Ann Arbor, Mich., on Sept. 29, 1963. The court affirmed the decision of U.S. District Court Judge Damon J. Keith, who had ruled that the U.S. attorney general had no authority to disregard the Fourth Amendment of the Constitution in such a case involving domestic security.

#### *Stage Set for Supreme Court Test*

Unless reversed by the Supreme Court, the decision—backed up by the binding disclosure order—would cripple the administration's program of domestic surveillance on dissident groups, according to the Justice Department. The decision can only set the stage for the ultimate test at the next and last level, the Supreme Court. It was a major setback for Attorney General Mitchell. FBI director Hoover testified in Congress a year ago that there were 36 telephone taps and two planted microphones under executive but not judicial authorization "in the security field." He has given the latest figures in secret and the House Appropriations Committee has not released them.



## WHITE HOUSE VIEW OF WIRETAP RIGHT DENIED ON APPEAL

U.S. Court Finds No Inherent  
Power to Eavesdrop on  
Radical Organizations

By FRED P. GRAMAM

Special to The New York Times

WASHINGTON, April 8—A Federal Court of Appeals rejected today the Nixon Administration's assertion that Federal agents may legally wiretap radical groups without court approval.

Declaring that there was not "one written phrase" in the Constitution or statutes to support the Justice Department's view, the United States Court of Appeals for the Sixth Circuit in Cincinnati ruled that Government wiretapping of such groups without warrants violates the Constitution.

The ruling was the first one by a Federal appellate court on Attorney General John N. Mitchell's contention that the executive branch has the inherent power to eavesdrop on "dangerous" groups that he considers a threat to the Government.

### Appeal to Top Likely

The Justice Department is expected to appeal the decision to the Supreme Court. It has conceded in several prosecutions involving militants that eavesdropping was used without court approval. However, a spokesman said that no final decision could be made today because there had not been sufficient time to study the decision.

Today's ruling upheld a decision made by Federal District Judge Damon J. Keith in Detroit, in the trial of three members of the White Panther party who were accused of conspiracy in the bombing of a Central Intelligence Agency office in Ann Arbor.

that it had overheard conversations of one of the defendants.

Lawrence R. Plamondon, over a wiretap that was approved by the Attorney General but not by any court.

### Implied Power Alleged

In an affidavit, Mr. Mitchell made the assertion, which had not been made by any previous Attorney General, that the executive branch had the inherent power to use wiretapping "to protect the nation from attempts of domestic organizations to attack and subvert the existing structure of government."

He said that this authority was implicit in the President's constitutional duty to wage war and protect the country. Thus he said that the wiretap had been a legal one and that the Justice Department did not have to disclose the overheard conversations to Mr. Plamondon.

Judge Keith ordered the Government to disclose the material or drop the case. The Justice Department asked the Sixth Circuit court to overturn that decision, which it refused to do today by a 2-to-1 vote.

The majority opinion was by Judge George C. Edwards Jr. and was joined by Chief Judge Harry Phillips. It held that the Fourth Amendment's prohibition against unreasonable searches and seizures requires Government agents to obtain warrants to wiretap domestic radicals, just as in any other criminal investigation of the land.

Judge Edwards cited the "historic role of the judiciary to see that in periods of crisis, when the challenge to constitutional freedoms is greatest, the Constitution of the United States remains the supreme law of the land."

He noted the Government's assertion that the "awesome power sought for the Attorney General will always be used with discretion," but he said that "even in very recent days" this has not always been the case.

The opinion dismissed the Government's "inherent power" claim, stating that the Supreme Court had said that no such Presidential powers exist when it ruled that President Truman had illegally seized the nation's steel mills in the Korean War period.

The court noted, however, that it did not decide one way or the other whether the President's wiretapping powers where attacks, espionage or

sabotage by a foreign power or its agents were involved.

In his dissent, Judge Paul C. Weick said that the President had the sworn duty "to protect and defend the nation from attempts of domestic subversives, as well as foreign enemies, to destroy it by force and violence." He said that the threat to the Government was as great when mounted by a domestic group and that such groups may be aided and abetted by foreign powers.

William M. Kunstler, commenting on the ruling, said:

"I hope that this decision means that the Federal courts are going to stand in the way of the wholesale erosion of the Fourth amendment by the Mitchells, the Hoovers and the other high and low placed snoopers."

Mr. Kunstler, the New York lawyer, represented Mr. Plamondon in the case decided today.

STATINTL

APR 15 1971

# Domestic Wiretaps Curtailed

## Appeals Court Curbs Watch On Radicals

By John P. MacKenzie  
Washington Post Staff Writer

The United States Court of Appeals in Cincinnati ruled yesterday that the Constitution forbids wiretapping without a court order in "domestic subversion" cases.

Rejecting the Nixon administration's claim of "inherent power" to tap the phones of suspected radicals without a judge's permission, the divided Sixth U.S. Circuit Court of Appeals held that the defense was entitled to inspect the records of the surveillance.

Such surveillance is now carried out on approval of the Attorney General.

Unless reversed by the Supreme Court, the decision—backed up by the binding disclosure order—would cripple the administration's program of domestic surveillance on dissident groups, according to the Justice Department.

The decision, which becomes the law of the Sixth Circuit states of Michigan, Ohio, Kentucky and Tennessee, can only set the stage for the ultimate test at the next and last level, the Supreme Court. But it was a major setback for Attorney General John N. Mitchell.

Another test case is working its way through the Ninth Circuit on the West Coast. A final Supreme Court decision is unlikely before the fall term.

FBI Director J. Edgar Hoover testified in Congress a year ago that there were 36 telephone taps and two planted microphones under executive but not judicial authorization "in the security figures in secret and the House Intelligence Committee has not released them.

The court upheld the order of U.S. District Judge Damon J. Keith in Detroit to disclose the records on eavesdropping to Lawrence (Pun) Plamondon, minister of defense of the White Panther Party, and his lawyer, William M. Kunstler, so they can search for a link between the prosecution's evidence and the illegal surveillance.

Plamondon and two other White Panthers, members of a group that advocates radicalizing young people by rock music, are awaiting trial on a charge of conspiring to blow up the Central Intelligence Agency offices at Ann Arbor, where the party is based.

The court of appeals divided sharply both on the legality of the warrantless wiretap and the right of the accused to inspect the records rather than permit a judge to decide whether they might be "relevant" to the prosecution or defense of the charge.

Judge George C. Edwards, former Detroit police chief and long an advocate of wiretapping under court supervision, wrote the majority opinion. He was joined by the circuit's chief judge, Harry Phillips of Nashville. Judge Paul C. Weick of Akron dissented.

Edwards, a noted liberal in other areas of the law, was instrumental in 1967 in obtaining the approval of the Judicial Conference of the United States for then-pending wiretap legislation. He suggested that the Justice Department use the law that passed in 1968, with its procedure for getting warrants, in combating subversion as well as organized crime.

The judge scolded the administration for claiming that courts have no business interfering with wiretaps for collecting intelligence on subversives. The Constitution, he said, divides the nation's "sovereign power" into three

branches and "was designed to require sharing in the administration of that awesome power."

Despite urgings that "the awesome power sought by the Attorney General will be used with discretion," said the judge, "obviously, even in very recent days, this has not always been the case."

Judge Weick's dissent said there was no difference between the validity of executive wiretaps in foreign subversion cases and domestic cases—a point the majority

did not reach—because the danger from both sources was severe.

"At a time when our soldiers are fighting on foreign soil and there is turbulence at home, thereby confronting the President on two fronts with many serious, perplexing and complex problems," the dissent said, "a heavy responsibility rests on his shoulders to protect not only our fighting men abroad but also the people at home from the destruction of their government by domestic subversives."



STATINTL

**WASHINGTON  
SECURITY**

Since the recent bomb explosion in the Capitol Building, Washington officials have tightened security on the handful of locations under streets that conceal a massive crossroads of vital electric lines.

On the surface these super-sensitive locations look like any other metropolitan or urban street corners. But, in fact, their manholes open into a massive complex of telephone lines -- including in some cases concrete-enclosed CIA cables, also sanitary and storm sewers, gas and water mains, steam heating pipes, electric power cables and some White House lines.

As one security official said: "If anyone asked us questions about these crossroads locations -- without a clear 'need to know' we'd become mighty interested in him and his background and activity."

And as a new security measure at the White House, everyone who walks on the south lawn is now under constant surveillance by two high-power, closed-circuit TV cameras with long-range zoom lenses. Their location is a secret, and you will never be able to spot them.

NEW YORK TIMES

28 MAR 1971

## Protesters Intend to Halt Government

By JOHN KEMNER

WASHINGTON, March 27 — A coalition of antiwar and civil rights organizations is planning a month-long series of demonstrations this spring, including a mass rally April 24 on the steps of the Capitol and an attempt to "stop the Government."

The alliance of radical groups has called for a series of actions throughout April and May, most of them directed against Congress and Government agencies.

One segment of the coalition, known as May Day is urging demonstrators to remain in Washington and engage in such militant activities as blocking major expressways at rush hour to halt the work of the Government.

The goals of the protest will be military withdrawal from Vietnam, an end to the draft and a guaranteed annual income of \$9,500.

Among the organizations involved are the Southern Christian Leadership Conference, the National Welfare Rights Organization, Vietnam Veterans Against the War and two major antiwar groups, the People's Coalition for Peace and Justice and the National Peace Action Coalition.

The protest will begin April 2 with demonstrations and rallies in several cities spon-

sored by the S.C.L.C. and the welfare rights group as tributes to the late Rev. Dr. Martin Luther King, Jr.

Hosea Williams of the leadership conference said that his group planned a series of marches in the North and South in early April.

Among them, he said, will be a rally in Central Park in New York. This will open a series of demonstrations scheduled for April 5-9 and directed against the financial center on Wall Street. The demonstrators and their main team are to move south through Philadelphia and Baltimore to join up with the Washington demonstrations in late April.

On April 10, women's groups plan a march on the Pentagon.

Vietnam veterans who oppose the war are to begin gathering in Washington April 19 for a four-day series of demonstrations. Spokesmen for their groups said the veterans, dressed in jungle fatigues, would set up an encampment as close to the Capitol as possible and would hold demonstrations there and at the Supreme Court.

### Medals to Be Discarded

At one of the demonstrations the veterans are to strip off their medals and decorations and deposit them in a body bag of the type used to excavate

dead soldiers. A contingent armed with plastic rifles will also carry on "guerrilla theater" exhibitions of methods of torture they charge are used in Vietnam.

On Saturday, April 24, the organizers plan massive antiwar rallies in Washington and San Francisco. The Washington rally is to gather on the Ellipse in the morning and march to the steps of the Capitol.

The April 24 rally has been endorsed by Senators George S. McGovern, Vance Hartke and Mike Gravel; by seven Representatives; by a number of labor leaders, and by civil rights and antiwar organizations.

Following the main rally, a series of demonstrations called A People's Lobby is scheduled for April 24-30 at Congress and at Government agencies, including the Justice Department, the Pentagon, the Central Intelligence Agency and the Department of Health, Education and Welfare.

Radicals have called on young people to begin assembling in Washington May 1 for a "celebration of peace."

The May Day group plans a series of demonstrations beginning early on the morning of May 3. The blocking of five major highways with human chains of protesters to stop the Government is part of the plan.

The protesters plan to assemble at the Capitol at noon to attempt to surround the building. They have called for demonstrations at the entrance of such Government agencies as the Department of Justice and the Pentagon on the succeeding day.

The organizers hope that the build-up of demonstrations through April and May will lead to what they call a "no business as usual" national moratorium on May 5. This would include strikes at colleges and high schools and demonstrations at Government offices and at military bases.

Approved For Release 2001/03/04 : CIA-RDP80-01601R

# Pathet Lao Squeezing Meo Out

By D. E. Ronk

Special to The Washington Post

VIENTIANE, March 24—Pathet Lao forces in northern Laos are apparently moving to squeeze out the 100,000 Meo tribesmen who have long served as a buffer for government forces in the area.

At the same time, the Pathet Lao drive seems designed to prevent the Meo from heading south to Vientiane and out of the combat zone altogether. The Meo are believed to be moving behind Pathet Lao lines.

The area in question — about 90 miles north of Vientiane — contains the CIA-supported base at Long Cheng, headquarters for Meo leader Gen. Vang Pao, and American refugee centers.

The recent Pathet Lao seizures of strings of government buses east and west of Long Cheng has had the effect of driving barriers southward. These are now closing toward the center and blocking the Meo's route to Vientiane.

Within the closing pincer Pathet Lao commando and propaganda units are warning the Meo to flee and making lightning commando raids against the most important bases. Isolated terrorist acts have been reliably reported from the area during recent weeks, including firing upon civilian taxis and buses carrying Meo out.

Observers believe that such acts are part of the over-all tactical plan to keep the Meo moving northward and behind Pathet Lao lines.

Roadblocks by Meo who are pro-government, but anti-Vang Pao, are also reliably reported to have been established on Highway 13, the highway from the north to the capital, to keep Meo from fleeing to Vientiane.

The Pathet Lao-North Vietnamese commando raid against Long Cheng on Feb. 14, when sappers blew up logistics warehouses and a pound, is believed now to

have been a demonstration of strength for the Meos' benefit.

During the commando raid, informed military sources indicate, CIA personnel called in American aircraft to destroy the CIA buildings rather than allow the enemy to capture sensitive equipment. During the bombardment more than a score of Meo soldiers were killed.

The attack increased the size of the exodus already going on in the Long Cheng-Sam Thong area. Then, three weeks later, during the night of March 5-6, commandos struck at the Ban Son refugee logistics center, 20 miles southwest of Long Cheng. Little damage was done to the base, according to government spokesmen, but the raid on the highly vulnerable center that had replaced Sam Thong — which had been abandoned under pressure a year ago — sent thousands more fleeing.

Harassment fire and ground probes against scores of pro-government posts within the 50-square-mile area are reported daily. Ban Na, north of Long Cheng and called the "key" to capture of the CIA base, is under virtual siege by artillery and rockets.

Visitors to Ban Son, or "site 272" as U.S. spokesmen call it, say the Americans working there are ready to abandon it "momentarily" and have been issued carbines to carry. They return to Vientiane nightly.

Americans working at Ban Son say that any further attacks would bring total abandonment of the bases.

Refugee officers in the field are not optimistic of their chances to be of further service to the Meo. They note the northward drift of the tribe out of their area and acknowledge that a large section of the mountains south of Luang Prabang is occupied by Meo who have shifted allegiance to the Pathet Lao.

Edwin McKeithen, a U.S. AID refugee worker, says the Meo will eventually have to turn eastward to land they can reach. In the meantime, he says, they will have to

reach an accommodation with the Pathet Lao forces and sympathizers in the area, just as those southeast of Luang Prabang have done.

Although American military sources in Vientiane say Long Cheng, Vang Pao's headquarters and the key base in Northern Laos, is defensible "if no one goes badly," the CIA is known to be building a lowland site for its operations. It has already moved much of the sensitive equipment away from Long Cheng.

"As families of Meo soldiers move away from Long Cheng for safety the base is left without its buffer against direct attack — and desertions are climbing as soldiers leave to accompany families," a recent Western visitor to the area reports.

American officials in the area have become frank in admitting that the Meo civilians serve as buffers.

Such use of the Meo is said to be the only real topic of discussion among the minor Meo chiefs at present, as they realize how badly the tribe has been hurt in the past decade and search for alternatives.

Since 1960, when Vang Pao allied a third of the Meo clans with the CIA, "at least 40-50 per cent of the men have been killed and 25 per cent of the women have fallen as casualties of the war," out of an estimated 400,000 Meo, according to last year's Kennedy subcommittee report on refugees.

Blaine W. Jensen, the acting area coordinator for U.S. AID at Ban Son, has said, "I have a bunch of scared people. When civilians start getting killed it has quite an effect on the population."

STATINTL

**Kidnap Plot Denied**

ANN ARBOR, Mich.-- Leaders of the White Panther Party branded as "total fabrication" charges that the group considered kidnaping Vice President Agnew and others to gain release of jailed radicals.

Party leaders said the government had concocted phony charges in an effort to keep two party cofounders, John Sinclair and Lawrence Plamondon, in jail.

The two have been indicted for allegedly conspiring to bomb a Central Intelligence Agency office in Ann Arbor in September, 1968.

The alleged kidnap plans are outlined in testimony released Monday by the Senate Internal Security subcommittee.

Michigan State Police Sgt. Clifford Murray told the panel that it was suggested that Michigan congressmen could be traded for John Sinclair and that "... prominent national figures such as Sen. Robert Griffin and Rep. Gerald Ford might be good for trading for Black Panther Party leaders such as Huey Newton and Bobby Seale."

"The recommendation included the suggestion that with someone of the prominence of the Vice President, Spiro Agnew, one 'could write his own ticket.'"

E - 50,662

MAR 11 1977

AS THE CHRONICLE SEES IT

# Mitchell's 'White Panther' Appeal Bald Attempt to Flout Due Process

Columnist James J. Kilpatrick turned his attention Tuesday to the so-called "inherent" powers of a president, commenting in his regular column on Michigan's "White Panthers," and the action of the Justice Department in gathering evidence against them.

The "Panthers" (three were indicted) have been charged with bombing the Ann Arbor offices of the Central Intelligence Agency. The Justice Department, at direction of the President, used electronic surveillance (wiretapping or its equivalent) to build a case for prosecution—without first obtaining a warrant from a judge.

When the case went to court, U.S. District Judge Damon J. Keith ruled flatly that the attorney general has no authority for such surveillance without prior court approval. The Justice Department appealed his ruling, and another stemming from a similar case, to the Sixth U.S. Circuit.

Attorney General Mitchell is arguing on appeal that "the President, acting through the attorney general, may constitutionally authorize the use of electronic surveillance in cases where he has determined that, in order to preserve the national security the use of such surveillance is reasonable."

preserve itself; that this responsibility is implicit in the nature of government itself, and need not be explicitly set forth in the Constitution, and that the President has the intrinsic right, in the name of national security, to do whatever he thinks necessary to preserve the state from being overthrown.

It was further asserted that Presidents Roosevelt, Truman and Johnson authorized the same actions in other years.

Obviously, the assertion of a right doesn't necessarily make a right, and no amount of argument can convince us that the government's action doesn't amount to a direct violation of the Fourth Amendment requirement that warrants be issued, on probable cause, before a place is searched. The protection thus afforded is what Judge Keith invoked against the President—and with very good reason.

It has been all too easy for the government to get court permission to conduct electronic spying. And to ignore the due process of law by giving government such power without even a court check could lead to a time when due process is meaningless and Americans are subject to the whims of whatever administration is in power.

As columnist Kilpatrick said, "If a president has power to suspend one constitutional protection, in the name of national security, he has power to suspend all others by the same fiat—free speech, free press, trial by jury, due process of law."

No such presidential power can be countenanced. If the government deems it necessary to the national security to tap phones or otherwise spy on suspects, then it must first convince a judge there is probable cause for the action.

The doctrine promulgated by the attorney general would remove the Fourth Amendment as a buffer between the rights of the citizens and the desires of government. It would rip away the public's shield against domestic despotism. It will be a black day for the nation if the appeal is upheld.

His department elaborated, in response to editorial protest, that it is the first response.

PROVIDENCE, R.I.  
JOURNAL

MAR 10 1971

M - 66,673  
S - 209,501

STATINTL

## Rennie Davis Tells Rally Plans

By JOHN KIFFENEY

Rennie Davis was in Providence last night to urge 300 students to join in a May Day anti-war rally in Washington that he promised would not be just another show of the peace movement's numbers. He cautioned against violence, the college, speaking without a microphone from the gym floor, and said the demonstration will be "the first massive show of nonviolent disobedience by the peace movement." He promised he invited the students to leave the bleachers and sit in a semicircle around him, and most did.

The objective, he said, will be to shut the government down and to force Congress to remain in continuous session until it does something to end the Indochina war. He sitting in at the Justice Department, thousands of students will block expressways leading to the Pentagon and Central Intelligence Agency at rush hour, and, as a highlight, the Congress will be surrounded by thousands, who will demand continuous session until action is taken.

The 30-year-old veteran activist, who is appealing his conviction for conspiring to riot at the 1968 Democratic National Convention, had a quiet but attentive audience at Alumni Hall on the Providence College campus. He was given a standing ovation at the close. Mr. Davis said 2,000 Federal government workers have signed the peace treaty, and there is a plan to have a general strike of federal workers in Washington beginning May 3.

He said the next two months will be the most important in the Vietnam war, and may include use of nuclear weapons by United States forces.

Mr. Davis said he based the nuclear possibility on a speech to an American peace delegation now in Paris by Xuan, Thuy, Hanoi's chief negotiator at the peace talks. Mr. Thuy has been "conservative" in his predictions of war escalation before, he said.

As to where Mr. Thuy got his information, he said the CIA admits readily that the Saigon administration is heavily infiltrated by Viet Cong agents. He was accompanied to Providence by John Froines, another defendant in the Chicago Seven trial. Mr. Froines, who was found innocent at the trial, did not speak.

Mr. Davis passed up the platform and lectern provided by

Mr. Davis said a nationwide campaign to get signatures on the treaty will be held. Marches to Washington from such places as Kent State University will soon begin.



## Potomac People

# A note on Herbert Philbrick's fourth life— as a Bethesda suburbanite



Philbrick

Q: Whatever became of Mr. I Led Three Lives—Herbert Philbrick, the anti-communist counterespionage, who inspired the television series?

A: Philbrick and his new wife, Shirley, live in Bethesda, Md., not far from CIA headquarters, and keep up a vigilant crusade against communism. He lectures frequently—last year some 250 times according to one report, at a price of \$500 to \$750 a soul-stirring shot. Philbrick still fears assassination attempts and turns all of his communist mail (sent to him under aliases) over to the FBI. One surprising note: although his popularity in the 50s stemmed in part from the (Joe) McCarthy-era fervor, Philbrick considers McCarthy to have been a rather limited and irresponsible excuse for a crusader.

# Faculty cooperation with CIA, FBI alleged

By NICK COLEMAN

University faculty members have routinely cooperated with civilian intelligence agencies in the gathering of information abroad, according to a statement prepared for publication today on behalf of the Faculty Action Caucus (see "Intelligence agents in academic cloaks," page 5).

While most of the attention given intelligence-gathering activities at the University recently has been focused on military and police surveillance of campus demonstrations and political organizations, the statement is the first indication that faculty members have been involved with the CIA and FBI in intelligence activities.

The statement alleges that faculty members who travel overseas to international academic or professional conferences are likely to be contacted by CIA or FBI agents and asked if they will agree to be interviewed by the agents. If granted, such an interview usually consists of a briefing of what the particular agency is interested in and what the faculty members should watch for on his trip. While some faculty members decline to be briefed before their journey abroad, post-journey debriefings are frequently granted.

Faculty collusion with intelligence agencies is, the statement argues, "incompatible with legitimate academic activity." Its authors suggest that the University Senate should adopt a policy statement "to bring about an end to University involvement in intelligence activity."

A spokesman for the FBI yesterday rejected the "implications" of the statement. "The FBI," he said, "does not routinely interview faculty members who travel abroad — unless we have some reason to believe they have information of interest to us." He said the FBI is only interested in talking to persons who have information concerning a violation of the law.

"You're talking to the wrong agency," he said, "we're a domestic agency and our responsibilities lie within the four corners of the United States."

The Minneapolis CIA office declined to comment on the statement, saying all press inquiries are handled at CIA headquarters in McLean, Va. Telephone calls there went unanswered.

Faculty members have been reticent to publicly acknowledge cooperation with the CIA or FBI, but privately admit that it does occur. They cite government funding of their work or fear of recriminations as rea-

sons for their silence. The publication of the statement, in fact, is due in part to the threatening of an uncooperative faculty member by an agent. Continued refusal to cooperate, the teacher was told, "would not be in your best interest."

While not willing to document specific instances of faculty collaboration with intelligence agencies, Martin Roth, one of the statement's authors and an associate professor of English, does say that a colleague of his was asked to work for the CIA when he went abroad. The person refused to work with the agency, Roth said, but did consent to a debriefing session upon his return.

"This can be verified," Roth said, "and it will be" if the validity of the statement is seriously challenged.

In any event, said another of the statement's principal authors Erwin Marquit, associate professor of physics, "The main issue is not to uncover specifics — but to become aware that the situation in general exists and that the University has a responsibility to the faculty and students to deal with it."

STATINTL

# RADIO SABOTEURS FROM THE CIA

By OLEG TIMOSHENKO

STATINTL

Experiencing serious troubles and failures in its domestic and foreign policy, imperialism, particularly US imperialism, is organizing ideological and political subversion against socialist countries and the entire anti-imperialist movement. In its aggressive policy directed against peace and the security of nations, imperialism resorts not only to brazen international gangsterism, armed intervention, economic pressure and methods of psychological warfare.

Total espionage and sabotage have become part and parcel of official US policy. A gigantic espionage-subversive apparatus, on which billions of dollars are spent annually, has been created. The activities of numerous espionage organizations in the United States, which carry out the will of the military-industrial complex, are kept secret not only from the American public, but even from the country's highest legislative body, Congress. The major portion of the allocations earmarked for subversive purposes comes from the secret funds of the President and is disguised in the budgets of various agencies and departments.

Quite a lot has been mentioned in the foreign press about the underhanded activities of the Central Intelligence Agency, one of the "spy rings" in the USA.

Once again the CIA bosses, at their headquarters in Langley (Virginia), found themselves in a state of shock.

According to Senator Clifford Case's statement of January 23, 1971, the anti-Soviet radio stations Radio Free Europe and Radio Liberty located in Munich, which are involved in open subversive activities against socialist countries, receive direct financial assistance from the CIA.

Senator Case, a well-known figure in the Republican Party, is a member of the influential Senate commissions on allocations and foreign affairs. According to Senator Case, 33,996,336 dollars were spent in 1969 alone on maintaining the two anti-Soviet radio stations in Munich.

Mr. Case stated, that the bulk of the budgets of the Radio Free Europe and Radio Liberty stations, which exceeds 30,000,000 dollars annually, are from grants received directly from the CIA; and that Congress had never taken part in the preliminary allotting and factual financing of these radio stations, although hundreds of millions of dollars from government funds had been spent on their maintenance during the last 20 years.

The Senator demanded that the two radio stations be put under the control of the US Congress.

It should be noted, that in his bill Senator Case doesn't suggest discontinuing such financing. His proposal envisages the same amount in funds for the new fiscal year. He also made it clear that now it would be possible to utilize more open forms of financing.

This means that the American Senator would like to make legal in 1971 that which has been concealed by Washington and which they were ashamed to admit during the past decades...

Following the Senator's statement, the State Department also let another "cat out of the bag". One of its representatives, R. McCloskey, in the beginning tried to evade the issue, but had to somehow get out of his state of shock and respond to the Senator's exposure.

R. McCloskey admitted that the State Department sponsors briefings for correspondents from the Radio Free Europe and Radio Liberty stations and that it was possible that secret information was used during those briefings.

In other words, the representative of the State Department confirms that responsible officials in the USA secretly instruct and lead the Munich stations.

On March 7, 1951 the so-called American Committee for the Liberation from Bolshevism was organized in the United States, and was later renamed the Committee for Radio Liberty.

The "non-government, private" radio station was carefully camouflaged. It was referred to as an organization of emigrés from Russia, who were concerned about the democratic development of their Homeland. Officially, the Radio Liberty station is listed, for instance, in the "International Reference Book on Radio and Television" (1969-1970) as a private organization of American citizens supported by the New York Committee of Radio Liberty. From the same reference book we further learn that the radio broadcasts prepared by political emigrés from the Soviet Union deal with the past and present of the country, and that this is motivated by an effort to make a contribution to the international exchange of information.

"...Make a contribution to the international exchange of information..." Too fine a phrase for dirty, anti-Soviet propaganda!

As far as the CIA is concerned, it allegedly has no connection with this at all.

The Christian Democratic Party, which at that time headed the government of the Federal Republic of Germany, readily backed the foul activities of the CIA landknechts.

Thus, the radio saboteurs of the cold war nestled themselves in Munich at 2 Lillienthal Strasse, in the building of the former air terminal, and later at 18 Arabella Strasse, in a special concrete house consisting of three, six-story sections. But, of course, their activities are not confined only to radio work.

PORT HURON, MICH.  
TIMES HERALD

FEB 22 1971

E - 38,124

S - 38,331

## Cracker Barrel Court Methods

(The following guest editorial is reprinted from the Feb. 11 edition of Detroit News.)

Why should a lower court of appeals spend its time hearing a case if, regardless of that court's decision, the case must go to the Supreme Court, anyway?

That question deserves some attention from Chief Justice Warren Burger, foe of judicial delay.

The case in point arises from the trial of three White Panthers charged in the bombing of CIA offices in Ann Arbor in 1968. During that trial, Detroit Federal Judge Damon J. Keith ruled that the wire-tapping of the conversations of one of the defendants was illegal.

This ruling runs contrary to the understanding and practice of the Justice Department, which says it has a right to eavesdrop on suspected subversives. The Justice Department considers such eavesdropping a logical and legal extension of its legally-sanctioned practice of tapping the telephone lines of embassies whose activities it suspects.

Last week, Judge Keith granted the government a postponement in the trial of the White

Panthers pending a decision on the wiretapping issue from the 6th Circuit Federal Court of Appeals in Cincinnati.

Everybody concerned has made it clear that every avenue of appeal will be exploited and that the final ruling must come from the U.S. Supreme Court. Therefore, what the circuit court of appeals says will be completely academic; the arguments and the deliberations will waste the time and the money of the taxpayers. Meanwhile, the original trial which gave birth to the wiretapping issue must also halt.

Why couldn't the appeal have gone directly from Judge Keith's court to the Supreme Court, eliminating the costly and unnecessary delay?

In his speech last August to the American Bar Association convention, Chief Justice Burger observed: "In the supermarket age we are like a merchant trying to operate a cracker barrel corner grocery store with the methods and equipment of 1900."

The wiretapping case is a perfect example of cracker barrel methods that need to be streamlined.

## Wiretap Use Is Supported By Kleindienst

Defending the administration's claim of an inherent right to wiretap dissident domestic groups, Deputy Atty. Gen. Richard G. Kleindienst maintains there is no difference between Americans and foreigners if their aim is to destroy the government.

"The whole question of internal security is not a divisible subject matter," Kleindienst, the No. 2 man at the Justice Department said in an interview, "You can't divide subversion into two parts—domestic and foreign."

He commented in response to questions about the controversy generated by disclosures that the government "bugged defendants in the Chicago Seven trial and heightened by two recent court ruling that electronic surveillance of domestic groups without a court ruling in unconstitutional.

The Justice Department asked the 6th Circuit Court of Appeals in Cincinnati Feb. 5 to set aside a ruling by U.S. District Court Judge Damon J. Keith in Detroit in the case of an alleged bombing by White Panther Lawrence "Pun" Plamondon.

Keith held that the attorney general, acting for the President, has no authority to conduct electronic surveillance in domestic national security cases without prior court approval — though it does when foreigners are involved. Two other federal courts—in the ruling by a California federal judge in a Black Panther case—are involved. The Justice Department has appealed a similar Chicago Seven case and a case in Kansas—have upheld the government's position.

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RIGHT OF PRIVACY

# THE POISONOUS TREE

CARL COHEN

Mr. Cohen teaches philosophy at the University of Michigan, Ann Arbor. He is the author of two books soon to be published: *Democracy* (University of Georgia Press) and *Civil Disobedience* (Columbia University Press).

Secret, electronic surveillance of private citizens, by government agencies, is a serious invasion of privacy, and does irreparable damage to the decency of our civic life. How can it be stopped? One legal weapon against it, which can have important effect, is the refusal of the courts to use or to receive evidence in this unsavory way. Over the retention and strengthening of that weapon legal battle now rages.

Some background first. The Fourth Amendment of the U.S. Constitution lays it down that:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

On this basis it is a long-standing principle of our courts that the government may not build its case against a defendant in a criminal action upon evidence obtained by unconstitutional methods. Even where that evidence, were it to be accepted, might clearly establish guilt, it must not be accepted, or even heard, because permitting any use of it is direct encouragement to law enforcers to gather such evidence in future cases. In applying this important exclusionary principle to search by wire tap, the U.S. Supreme Court also held in 1969 (*Alderman v. United States*) that the government must disclose to a defendant any record of conversations he participated in, or which occurred on his premises, which the government acquired by means of any illegal electronic surveillance. (The practical importance of this ruling appears in the current Plamondon case, cited below.)

But when is electronic surveillance legal and when illegal? The Omnibus Crime Control and Safe Streets Act of 1968, far less restrictive in this regard than it ought to be, does lay down strict conditions within which electronic surveillance may be carried out. Probable cause to believe that criminal activity is in progress must be sworn to before surveillance is undertaken, and a duly constituted court or magistrate must authorize specific surveillance and issue a warrant therefor. Unauthorized electronic surveillance by government officials is a serious crime. But the Act also provides, unhappily, for exceptions to its own restrictions. By its own words the Act does not

limit the constitutional power of the President to take such measures as he deems necessary to protect the Nation against actual or potential attack or other hostile acts of a foreign power, or to obtain foreign intelligence information deemed essential to the security of the

United States, or to protect national security information against foreign intelligence activities. Nor shall anything contained in this chapter be deemed to limit the constitutional power of the President to take such measures as he deems necessary to protect the United States against the overthrow of the Government by force or other unlawful means, or against any other clear and present danger to the structure or existence of the Government. . . .

Through this hole in the dike the Attorney General of the United States and his subordinates have surged, and the federal courts now face the difficult problem of restraining the zeal of law enforcers eager to tap the wires of anyone who might, by their lights, be deemed a threat to "national security." The threat, more deeply understood, is from the government—and the privacy of citizens is its victim.

The rub lies here. Who decides what is necessary for "national security"? The President, acting through the Attorney General, is authorized to conduct electronic surveillance without judicial warrant to protect the nation against the hostile acts of foreign powers. That is itself worrisome. But is the exception to be enlarged? Is wire tapping to be permitted, and its results received by the courts, in matters of alleged internal security?

The issue is not only theoretical. A case now before the U.S. District Court, Eastern District of Michigan, presents the practical problem starkly. The defendants are charged with conspiring to injure government property, and one of them, Lawrence "Pun" Plamondon, is charged with the actual bombing of a CIA office building in Ann Arbor. The trial is about to begin. Electronic surveillance of Mr. Plamondon's conversations has been conducted by the government, undertaken admittedly without the judicial authorization that the law requires. The sealed logs of these wire taps have been delivered to the court, and with them an affidavit from the Attorney General. This affidavit does not assert that at the time these wire taps were installed, law-enforcement agents had probable cause to believe that criminal activity was actually being plotted. (If such probable cause could have been shown—that, for example, the illegal overthrow of the government by violence was being planned—a proper warrant could surely have been obtained.) The affidavit argues, badly, that the Attorney General, as agent of the President, may by himself authorize electronic surveillance of "attempts of domestic organizations to attack and subvert the existing structure of the government." Therefore, he concludes, wire tapping in this case, although without judicial warrant or control, is yet legal.

It is to the enduring credit of the U.S. District Court, in the person of Judge Damon J. Keith, that this argument by the government has been flatly rejected. Keith's forceful and distinguished opinion, handed down on January 25, affirms the constitutional right of citizens to be protected from such unauthorized electronic searches. He makes

## Where Is He Now? 'Comrade Herb' Still Is Fighting the Reds

Two of Philbrick's Three Lives  
Are Over, but He Battles On;  
Aliases and Fears of Murder

By BARRY KRAMER

Staff Reporter of THE WALL STREET JOURNAL

BETHESDA, Md.—Herbert A. Philbrick is leading only one life these days, but it's a busy one.

Remember Mr. Philbrick? His multifaceted existence in the 1940s—"Citizen, Communist, Counterspy"—was the basis of an autobiographical book, "I Led Three Lives." In the early 1950s, these reminiscences were made into a wildly popular television series, wherein Mr. Philbrick (as portrayed by actor Richard Carlson) spent the better part of a half-hour each week routing the Red underground in the U.S.

As you may recall, Herb Philbrick (or, as many viewers came to know him, "Comrade Herb") actually did lead three lives. From 1940 to 1949, he was (1) a New England advertising executive who (2) secretly worked his way into important positions in the Communist Party in order to (3) pass on party directives and other information to the FBI. This triple life ended abruptly in 1949 when Mr. Philbrick's testimony in federal court helped convict 11 top executives of the U.S. Communist Party.

Today Herb Philbrick is fighting communism from headquarters in his modest, red-brick house here. At 55 years old, he is only slightly graying and still weighs in at the trim 155 pounds he carried in 1949. His message has remained constant, too: The "international criminal Communist conspiracy" is more dangerous than ever before.

Some things have changed. Mr. Philbrick has thrown off his cover with a vengeance and today speaks widely on anti-Communist subjects. He has been divorced and remarried. His second wife, Shirley, a 28-year-old former model who once worked for Dr. Fred Schwarz's Christian Anti-Communism Crusade, accompanies him on a cross-country lecture circuit that last year took them to 49 states for a total of more than 250 speeches—often at \$500 to \$750 an appearance.

### "Too Many Amateurs"

"Lots of people accuse me of being a professional anti-Communist," Mr. Philbrick says. "I just smile broadly and say, 'I hope I'm not an amateur.' We need more professional anti-Communists. There are too many amateurs."

To hear the Philbricks tell it, professionalism in their chosen field means living a life filled with fatigue and fraught with peril. "On a lecture tour we average five hours sleep a night, and very often we don't get that," says Shirley Philbrick. "And just before a lecture tour we don't get any sleep at all."

Preparing for the tour is especially complicated since Herb and Shirley believe they're in constant danger of assassination. They consequently make transportation and hotel arrangements under assumed names. "Once we made the mistake of making a reservation under the name Philbrick, and darned if there wasn't a bomb threat," Mr. Philbrick says.

Even with pseudonyms, the Philbricks continue to exert the utmost caution—including never straying too near open windows or too close to the edges of crowded subway platforms. Shirley Philbrick, however, says they "don't worry about it too much. You just have to be intelligent and alert and keep these things in your mind."

They constantly are alert to food prepared by unknown hands. Once, in Louisiana, the Philbricks left their food untouched after noticing what seemed to be ground glass on their steaks. When a woman in the audience later fainted, Mr. Philbrick turned to his wife and whispered, "Maybe she got my steak."

### "Dropping Like Flies"

Such fears, Mr. Philbrick explains, are based on his contention that many people in the U.S. who opposed the Communists have been mysteriously "liquidated" by poison or by unexplained falls from open windows. "For a while they were dropping like flies," he says.

Such "accidents" have been so frequent, Mr. Philbrick says, that he and his wife have thought of writing a book on the subject. "You know," he confides, "the Communists have come up with a whole line of exotic poisons." He says the list of such poisons includes radioactive substances, as well as toxic material that can't be traced.

Most of Herb Philbrick's audiences are unaware of what he goes through to reach them. They just are interested in what he says, and what he says invariably pleases them. His speeches, which deal with such topics as "Are You Sure Communism Hasn't Brainwashed You?" and "Spies and Our National Defense," always meet with much applause. But the fact that he has the sympathy of his listeners isn't cause for real rejoicing at the Philbricks. "Usually," he says, "the ones that need to be convinced about communism don't come."

There are, however, other ways to reach the unconvinced. For more than a year, Mr. Philbrick has owned and operated U.S. Press Association, which sends politically right-of-center editorials to 1,200 newspapers, most of them small weeklies.

The six editorials sent out each week are predominantly anti-Communist or conservative in tone. While most are written by Mr. Philbrick himself, some are "sponsored" pieces written by—and usually touting—various commercial concerns, trade groups and other organizations. The Philbricks in turn receive a \$300 check from the sponsor. This is basically U.S.P.A.'s sole source of revenue, since the 1,200 subscribing newspapers don't pay any fee at all.

Mr. Philbrick's own editorials have ranged in recent months from an attack on Sen. J. William Fulbright to an analysis of what he termed the "smear campaign" that killed the Supreme Court nomination of Judge Clement F. Haynsworth. A not-atypical series of sponsored editorials concerned what were called inflationary union demands being made against General Electric Co. The sponsor was General Electric, and the corporate giant paid U.S.P.A. \$400 an editorial.

### A Lot of Aliases

Life at the U.S.P.A., however, is more than a heady round of editorial writing. Each week, the Post Office delivers some 1,800 newspapers to the Philbricks, who, with a few part-time helpers, scour each and every page for reprints of the association's material. Paying sponsors are then mailed any relevant editorials to show them what they got for their money.

Further burdening the Bethesda postal system, the Philbricks also receive regular mailings of propaganda from Communist countries, as well as copies of the Daily World, the organ of the U.S. Communist Party. All mail from the enemy comes addressed to assorted aliases assumed by Mr. Philbrick. A recent letter from Radio Havana, for example, arrived at the Philbrick residence addressed to one "H. A. Arthur." Communist mail received by the Philbricks has one destination. "We turn it over to the FBI," Mrs. Philbrick says.

The Philbricks' relationship with the FBI is close. Mr. Philbrick says some Communist Party members still provide him with information, which he then passes on to the bureau. And every December, he adds, a Christmas card arrives extending greetings of the season from J. Edgar Hoover.

The bureau also serves as a handy watchdog. "Once there was a threat and an FBI agent showed up mysteriously and stayed with us the whole time," Shirley Philbrick says. The federal government's watchfulness is made easier by the fact that the Philbricks' house is just a few minutes drive from CIA headquarters and is located on a street filled with homes belonging to CIA, FBI and other government employees.

### A Busy Life

Time spent by the Philbricks in Bethesda can hardly be called restful. Besides running the U.S.P.A., Mr. Philbrick teaches seminars for the Christian Anti-Communism Crusade, makes radio and television appearances, and is active in several anti-Communist and conservative organizations. He's also involved in rewriting "I Led Three Lives" as a textbook on communism.

Mr. Philbrick's writing has periodically appeared over the past 20 years in a variety of anti-Communist publications. A typical Philbrick article appeared in a book titled "Your Church—Their Target" and took on folk singers in general and Pete Seeger in particular for alleged Communist connections.

Herb Philbrick says his Anti-Communism dates from 1940, when he discovered that an ostensibly independent group called the Massachusetts Youth Council was controlled by the Communist Party. He quickly informed the FBI, which advised him to participate in the council's activities and in turn to keep the bureau informed.



CINCINNATI, OHIO

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M - 189,425  
S - 302,445

# Federal Government Seeks Wiretap Charge Immunity

In a case against a White Panther Party member, the U. S. Department of Justice came to a federal court in Cincinnati Friday seeking an order against a U. S. District Court judge in Detroit, Mich.

The issue revolves around the question of whether it is lawful for the attorney general of the United States to authorize and conduct certain electronic surveillance.

It arose over the case of Lawrence Robert (Pun) Plamondon, a White Panther member facing trial in Detroit on a charge of bombing the Central Intelligence Agency office in Ann Arbor, Mich.

Against the opposition of Attorney General John N. Mitchell, U. S. District Court Judge Damon J. Keith, Detroit, ordered the government to disclose to Plamondon logs of government electronic surveillances of conversations in which he participated.

The Justice Department asked the Cincinnati-based U. S. Court of

Appeals for the Sixth Circuit to order Judge Keith to vacate his disclosure order. The request was in the form of what is known as a petition for a writ of mandamus.

In commanding the disclosure, the petition says, Judge Keith limited the Justice Department to only two courses of action, "either of which," it said, "would result in grave and irreparable harm to legitimate governmental interests."

The first course of action, the petition says, would be the disclosure of sealed information that "would prejudice the national security."

The second course would be to refuse to comply with the order, "in order to protect the national security," which would result in a dismissal of the indictment against Plamondon.

The logs of the surveillances, according to the petition, were given to the District Court judge in Detroit in the form of a sealed exhibit for Judge Keith's inspection only. Records show that when Plamondon's attorneys claimed the surveillance was illegal, Judge Keith granted their motion to disclose the information.

Notified by the Justice Department that an appeal would be made to the Sixth Circuit, which reviews lower federal courts in Ohio, Michigan, Kentucky and Tennessee, Judge Keith postponed the opening of Plamondon's bombing trial until Tuesday.

In asking the mandamus writ, the Justice Department claims that the power of the attorney general, acting for the President of the United States, to authorize and conduct certain electronic surveillance is legal.

The Sixth Circuit is now in one of its three-week sessions that started last Monday. How soon the appellate judges will act on the Justice Department petition cannot be determined.

THE ISSUE brought up in this case has been decided by four U. S. District Courts, two upholding the power, two denying the power. It has not as yet been resolved by a federal court of appeals.

STATINTL



## U.S. Appeals Curb on Domestic Wiretap Action

Associated Press

The Justice Department has appealed a district court ruling that it is unconstitutional to eavesdrop on phones of domestic groups without a warrant.

The ruling, the department said yesterday, "could result in grave and irreparable harm to legitimate government interests."

The department asked the 6th Circuit Court of Appeals to order Judge Damon J. Keith of Detroit to vacate a decision favoring Lawrence R. Plumondon, a White Panther being tried on charges of bombing a Central Intelligence Agency office in Ann Arbor, Mich.

Keith has ruled that electronic eavesdropping on Plumondon by the government was unconstitutional and ordered logs of the surveillance turned over to his attorney. He gave the government until Tuesday to comply with the order. The judge drew a distinction between the Plumondon case and the government's right to eavesdrop against foreign subversives even without prior judicial approval.

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## ANOTHER CIA FRONT

## Radio Free Europe Isn't Free

By CHARLES LONGSTREET WELTNER

EVERY REGULAR bus rider has seen the car card advertisements of Radio Free Europe. The latest is a young boy whose forehead is wrapped in heavy chains. "He needs a mind of his own," the card proclaims. "He needs the facts, news, world opinion."



Now, everyone agrees that Eastern Europe needs facts and opinion to help counterbalance the continuing Niagara of government propaganda to which its people are exposed. It is equally true that Americans need the facts about Radio Free Europe. Hopefully, that truth is now unfolding.

\* \* \*  
SINCE the first frost of the "Cold War", we have been told that Radio Free Europe is a privately supported, nongovernmental activity, whose existence depends upon individual contributions. The Advertising Council, which sponsors the car cards, provides an estimated \$15 million annually in media space which is used to solicit funds. And Radio Free Europe, with executive offices in New York, transmitters in Munich, and several thousand employees, keeps beaming "the facts, news, world opinion" into Eastern Europe.

Unfortunately, Radio Free Europe has never disclosed the facts to Americans. For it is not free at all. Instead, it costs the American taxpayers \$30 million dollars a year—all funnelled through the labyrinthine channels of the Central Intelligence Agency. Private contributions—upon which it supposedly depends—make up about 3 per cent of its budget.

\* \* \*  
THESE disclosures came in Senate Appropriations hearings. They are shocking because of the blatant hoodwinking which has gone on now for more than 20 years, but they are not really surprising.

Four years ago it was discovered that CIA funds had been routed into the National Student Association through a series of fake "foundations." The hue and cry of that disclosure resulted in adoption of a policy that "no federal agency shall provide covert support, direct or indirect, to any of the nation's educational or voluntary organizations."

Radio Free Europe, theoretically both educational and voluntary, has consumed possibly \$100 million in CIA money since President Johnson approved that policy four years ago.

\* \* \*  
NSA and RFE are only two CIA covers which have been blown. What is deeply disturbing is the unknown mass which is yet below the surface.

What other organizations

are CIA fronts? And what unknown deeds are performed in the name of and at the expense of the American people?

Lord Acton said that power corrupts, and absolute power corrupts absolutely. Secret power—unchecked, unknown, and unaccounted for—is surely the most corrupting force in any society.

\* \* \*  
WHOEVER can penetrate the marble fastness of CIA headquarters at Langley, Va. (mislabelled "Bureau of Public Roads") see carved in the lintels of the lobby, "You shall know the truth and the truth will make you free."

May the day come when that script is heeded by the Central Intelligence Agency. The United States is come of age. It is time we put aside childish things.

# Mitchell Pressing His Wiretap Plea

By LYLAE DENNISTON  
Star Staff Writer

Atty. Gen. John N. Mitchell will ask for a federal appeals court this week to rule that he alone may decide when to eavesdrop secretly on "domestic subversives."

That authority, which would put a growing use of hidden listening devices beyond any court review, has been ruled invalid twice and upheld twice by lower federal courts.

Mitchell is the first attorney general to claim that, in cases involving "violent disorders" in this country, he need not possess a court order before authorizing wiretapping or eavesdropping.

His decision to take that question to the 6th U.S. Court of Appeals in Cincinnati follows a ruling against him on Tuesday by U.S. District Judge Damon Keith in Detroit.

Keith's decision followed almost exactly the reasoning that a federal judge in Los Angeles used Jan. 11 in the first ruling rejecting the attorney general's position.

## Secret Logs At Stake

If Mitchell had not planned an appeal from Keith's decision, he either would have had to disclose today the secret logs of overheard conversations of a man charged with a bombing conspiracy or drop the charges.

After Judge Keith was notified that an appeal would be filed, he postponed the scheduled opening of the bombing trial until Feb. 9.

In addition, he said he would "assist the government in obtaining . . . review" of his decision by the Appeals Court because it involved "an important issue of first impression." He did not explain what he would do to help.

It now seems likely that this test case will be the first to take

the issue of homefront eavesdropping to the Supreme Court for an ultimate ruling.

One of the lower court decisions which upheld Mitchell's authority is already before the 7th U.S. Court of Appeals in Chicago, but that is in the famous Chicago Seven conspiracy case — an appeal that probably will not be decided for many months.

The Chicago case was the first one in which Mitchell had claimed that the "inherent powers" of the President to protect the country could be delegated to Mitchell as the sole authority needed to justify eavesdropping on individuals or groups involved in "domestic subversion."

Mitchell and his aides worked out that constitutional theory after being in office about five months, and they asked U.S. District Judge Julius J. Hoffman to uphold it in June 1969.

## No Appeal Filed

On Feb. 21, after the conspiracy trial was over, Hoffman agreed with Mitchell's argument and ruled that eavesdrop logs on some of those accused in the conspiracy case need not be turned over to them.

On Sept. 1, U.S. District Judge Arthur J. Stanley of Kansas City similarly ruled in Mitchell's fa-

vor, in a case involving illegal firearms possession.

Then, on Jan. 11, Federal Judge Warren J. Ferguson of Los Angeles became the first to rule that the attorney general's theory was unconstitutional. He gave the Justice Department 30 days to appeal, but so far no action has been taken in that case.

Ferguson's decision came in a case involving Melvin Carl Smith, a Black Panther Party figure who was convicted in 1969 on an illegal firearms offense.

While his case was being appealed, the government revealed it had eavesdropped on his telephone conversations five times. This disclosure led to Judge Ferguson's ruling that the "bugging" was illegal because it had been carried on without a court-approved warrant.

## Second Reversal

The Detroit case which brought the second decision against the attorney general's authority involves Lawrence (Pun) Plamondon, one of three members of the militant White Panther Party facing trial on charges of a 1968 conspiracy to bomb a Central Intelligence Agency office in Ann Arbor, Mich.

Using almost exactly the same words as Judge Ferguson did in the Los Angeles decision, Judge Keith in the Detroit case remarked:

"An idea which seems to permeate much of the government's argument is that a dissident domestic organization is akin to an unfriendly foreign power and must be dealt with in the same fashion.

"There is great danger in an argument of this nature for it strikes at the very constitutional privileges and immunities that are inherent in U.S. citizenship."

Every president since Franklin D. Roosevelt has contended that electronic surveillance could be executed without court order in cases involving "national security."

However, that has been understood generally to apply only to cases in which the government was looking for "foreign intelligence" data — that is, evidence about espionage from "external" sources.

Mitchell, in his early months in office, limited his claim to sole power over eavesdropping to "foreign intelligence" situations. For all others, he apparently was willing to obtain a

Then, he disclosed that he believed "national security" cases should be understood to include those involving "domestic organizations which seek to attack and subvert the government by unlawful means."

## Full Legalization

If the courts ultimately hold that Mitchell may decide on his own to approve surveillance on "domestic subversives," it would not only mean that he would have much more flexibility in using that method of investigation.

It also would mean that any eavesdropping would be considered completely legal. That would insulate the records or tapes of the eavesdropping from any possible disclosure to individuals whose conversations had been picked up.

Under a Supreme Court decision on March 10, 1969, in the so-called "Alderman case," any records of illegal eavesdropping must be turned over to defense lawyers in criminal cases to see if the "bugging" had produced evidence for the prosecution. Evidence acquired by unlawful means may not be used.

## Exemption Asked

If the government did not want to disclose the results of its eavesdropping, the court declared, it would simply have to drop the criminal case.

In trying to get the Supreme Court to reconsider that ruling, the Justice Department asked it to create an exemption for "national security" cases involving "foreign intelligence." Since the attorney general has constitutional authority to carry on such bugging, the department argued, it is always legal and thus not subject to disclosure.

However, the justices left that issue open. Since that time, of course, Mitchell has expanded his constitutional argument to include domestic subversion as a "national security" matter.

While the Justice Department has lost twice and won twice in lower court rulings on the domestic subversion issue, it has won every time when a lower court has analyzed Mitchell's authority to approve eavesdropping for "foreign intelligence" purposes.

## JUDGE REAFFIRMS CURB ON WIRETAPS

### Ruling Could Limit Power to Prosecute Radicals

By AGIS SALPUKAS

Special to The New York Times

DETROIT, Jan. 25.—A Federal District Court judge here, in the second such decision in a month, reaffirmed today that the Attorney General does not have the right to order wiretaps without a court warrant in domestic cases on the ground of protecting the national security.

Judge Damon J. Keith of the Eastern Michigan District held today that the wiretaps obtained on Lawrence R. (Pun) Plimondon, one of three members of the White Panther party on trial on charges of conspiracy in the bombing of a Central Intelligence Agency office in Ann Arbor, were unconstitutional.

Unlike the ruling of Jan. 12 by Judge Warren J. Ferguson in Los Angeles, in which the Government was given 30 days to appeal, Judge Keith's decision today said that the wiretap evidence must be turned over immediately to the defense attorneys.

#### 48 Hours to Decide

But Judge Keith did give the Government 48 hours to decide on what to do after Ralph B. Guy Jr., the United States Attorney for the Eastern District, told the court that only Attorney General John N. Mitchell could make the decision because matters of national security were involved. Mr. Guy said that he was unable to reach the Attorney General this afternoon.

According to Mr. Guy, the Government can decide to drop the case, it can make the wiretaps available to the defense or it can appeal the judge's decision to the Supreme Court.

Mr. Guy said in an interview that, if the decision stood, it could make it impossible for the Government to gather wiretap evidence on domestic groups without a court order. Attorney General Mitchell has maintained that this power was granted in the Omnibus Crime Control and Safe Streets Act of 1968.

#### Complications Seen

If the wiretaps are held illegal, Mr. Guy said, anyone whose conversations are tapped could not be prosecuted by the Government even if it turned up other evidence later.

In his decision Judge Keith said: "An idea which seems to permeate much of the Government's argument is that a dissident domestic organization is akin to an unfriendly foreign power that must be dealt with in the same fashion."

"There is a great danger in an argument of this nature, for it strikes at the very constitutional privileges and immunities that are inherent in United States citizenship."

The judge held that the Government was in error when it contended that "attempts of domestic organizations to attack and subvert the existing structure of government" were a crime.

Judge Keith denied a second motion in which the defense asked that young people between 18 and 21 should be able to serve on juries. The defense contended that radicals such as the three defendants could not get a fair trial from juries made up of people over 30 because the jurors would take out their hatred of the youth culture on the defendants.

The Supreme Court ruled recently that 18-year-olds have the right to vote in Federal elections, but the lists from which jurors are chosen are based on voter registration rolls of 1963, which does not include the 18-year-olds.

The judge postponed until Thursday the trial of Mr. Plimondon, who is charged with bombing the C.I.A. building; John A. Sinclair, who is serving a 10-year sentence for possession of marijuana and is charged with conspiracy; and John W. Forrest, also charged with conspiracy.

Their defense attorneys are William M. Kunstler and Leonard I. Weinglass, who helped defend the Chicago 7 last year, and Hugh M. Davis.

## U.S. AIRSTRIP IN LAOS

Hanoi Raids Disrupt  
Ho Trail Interdiction

By TAMMY ARBUCKLE

Special to The Star

PS 22, Laos — American ground operations against the Ho Chi Minh trail have been "severely disrupted" by North Vietnamese assaults against this heavily guarded airstrip, sources reported.

PS 22 and its satellite strips, PS 3 and PS 4, are on the east edge of the Bolovens plateau in southern Laos, 5 miles from the network of Communist reinforcement and supply routes to Cambodia and South Vietnam known as the Ho Chi Minh Trail.

## Pinpoint B52 Targets

For years, PS 22 has been the home of men of the First Special Guerrilla Unit the 10th Guerrilla Battalion and their American commanders, a handful of military men working for the Central Intelligence Agency.

These units, mostly composed of Lao hillmen with a few Thais, total about 900 men. They have been responsible for harassment raids and pinpointing targets for U.S.

Air Force B52 strikes on the south half of the Ho Chi Minh Trail designated by the CIA as guerrilla zone number one.

Now the guerrillas and their U.S. commanders have had to be replaced by Lao regular troops.

The guerrillas are "demoralized and disorganized," said a Lao military official.

## Sent to Mountains

The guerrillas have been sent to Batheng Mountain near the Bolovens town of Pak Song for reorganization, including strengthening by Thai special forces and some Cambodians newly sent to Laos and retraining by Thai advisers.

Few guerrilla teams are still active instead of prowling the Ho Chi Minh Trail complex and seeking North Vietnamese concentrations heading for Cambodia, they are scouring the Bolovens for large North Vietnamese units whose targets are this air strip and Pak Song.

Hanoi's troops already have knocked out the American-run

air strips south of here, numbers 33, 166 and 172.

Twenty-nine guerrillas were killed and 63 seriously wounded here in December. This, combined with the high total of guerrilla deaths in actions throughout the plateau and continued enemy rocket attacks, has drive the guerrillas away, the Lao say.

Now about 1,000 Lao regular troops are digging in here under sporadic rocket attack.

Rolls of barbed wire are being strung around the air strip, foxholes are being constructed, claymore mines are being laid and machineguns set up while armored cars are flown in to provide additional firepower.

Col. Khampen, the government commander here, says his instructions are to defend PS 22 because the Lao government is determined to retain this last foothold on the eastern edge of the Bolovens plateau. His troops are not involved in operations on the trails.

## Observation Lost

Site 3, a tiny air strip 1,000 feet higher on the hill above the plateau in a stand of pine trees is seen by the colonel as his key defense position here.

The site provides a resting place for American forward air controllers dodging anti-aircraft fire along the Sekheng Valley.

The collapse of the guerrillas here at Site 22 is undoubtedly have negative consequences for Americans, Cambodians and Lao alike.

American intelligence has been deprived of its eyes on this part of the trail.

The North Vietnamese can now move supplies and reinforcements into Cambodia almost at will.

The Lao government, according to the Lao military, has been forced to commit its last reserves to a fixed defense of the Bolovens.

The fall of PS 22, which is presently extremely likely, would see this reserve force cut off a long way from help and possibly lead to the fall of the Bolovens town of Pak Song resulting in the North Vietnamese completely taking over the Bolovens for a new sanctuary against Cambodian and South Vietnam.

Such a move would severely hinder any South Vietnamese drive into south Laos to smash the trail area.

This results from the failure of the Central Intelligence Agency operation, a failure for which the Americans themselves must take the blame.

American commanders on the Bolovens failed to follow one of the first principles of guerrilla warfare — to hide your base and to be ready to move elsewhere quickly if discovered.

Instead they based on large air strips that were easy for the North Vietnamese to find and attack.

Instead of making air drops to supply guerrillas in the jungle, bases such as PS 22 were used to stockpile munitions and supplies.

Now the North Vietnamese have overrun most of the bases and the guerrilla operation has been smashed.

Fred Cicetti

## Here and There



On page 1749 of the Manhattan telephone directory, there is this listing:

"CENTRAL INTELLIGENCE AGENCY  
NY FIELD OFF 755-0027"

There is no address given for the New York branch of the Washington espionage company. I discovered this strange, but not surprising, listing almost three years ago. I had a powerful urge to call the number, but I was afraid. Sounds ridiculous, I know, but, nevertheless, I was afraid to call.

But my curiosity would give me no rest. Every time I used the phone book, I was reminded that the CIA was listed on page 1749. Last week, I did it. I picked up my phone and dialed the number. A woman answered.

"755-0027," she said, without identifying the telephone as the CIA's.

"Hello, is this the Central Intelligence Agency?" I asked, thinking the woman might be an operator for an answering service.

"Who is this calling, please?" she interrogated.

"My name is Fred Cicetti. I am a reporter for The Evening News in Newark and I'm interested in writing a piece about the CIA office in New York. Can you help me?"

She responded skeptically and told me to hold on. About a half-minute later, a man came on the line. He didn't identify himself; I didn't ask for his name. I repeated my pitch to him. He performed a near-perfect, bureaucratic buck-pass. He was beautiful.

"I'm sorry, I can't help you," he said, cheerfully. "That is a policy matter beyond my purview. You'll have to write to Washington about that."

He gave me this address: "Assistant to the Director for Public Affairs, Central Intelligence Agency, Washington, D.C." I asked him if he was permitted to give out the name of the assistant to the director, but he sidestepped me. He was good.

"I don't know who will handle your letter," he said. "I prefer not to use a name."

### Security Check Likely?

I asked him—with a nervous laugh—if a security check would be done on me.

"I won't have to look over my shoulder for someone tailing me, will I?" is what I said.

"Oh, no, no," he assured me. "We have some people who, by necessity, are exposed in Washington and they'll handle it."

A few days later, I mailed my letter to the nameless assistant director.

"Dear Sir:

I write a human-interest column for The Evening News of Newark, N.J. I am interested in writing a piece about the CIA operation in the New York metropolitan area.

This is not a put-on. I fully realize that the nature of my work is inimical to your work. But I suspect that there is some information about the CIA's activities out of the New York office that can be published without harm to national security. There may, in fact, be some information that, if printed, would be helpful to you. I do not know what facts are available to me, and this is why I am writing to you. Please advise me on this matter."

After I mailed the letter, I convinced myself that my missive would be filed, microfilmed, and cross-indexed. If the CIA hears my name again, I thought, they will retrieve this letter and know for sure that I am dangerous and must be watched.

Yesterday, there was a large brown envelope in my mailbox. Enclosed were two reprints of articles done about the CIA. Both were extremely unrevealing and, no doubt, this quality earned them the CIA imprimatur. There also was a brochure entitled, "Intelligence Professions," that is probably used by the CIA's college recruiters. And there was a blue pamphlet, which contained the CIA's statutory authorization and some generous compliments from our President.

### Letter From Director's Aide

With the enclosures was a letter from Joseph C. Goodwin, the previously anonymous assistant to the director.

"Dear Mr. Cicetti:

I am enclosing some material which, hopefully, will give you a clearer picture of the background, history, functions and responsibilities of the Central Intelligence Agency. As to your specific request for information, I can only refer you to the paragraph on "Policy on Public Disclosures" on page 5 of the blue pamphlet."

This is the paragraph:

"Because of the nature of its duties, required by law and by considerations of national security, the Central Intelligence Agency does not confirm or deny published reports, whether true or false, favorable or unfavorable to the agency or its personnel. CIA does not publicly discuss its organization, its budget, or its personnel. Nor does it discuss its methods of operation or its sources of information."

this newspaper will not self-destruct.

17 Jan 1971

# Defense Seeks 18-Year-Olds For White Panther Jury

BY LEE WINFREY  
Free Press Staff Writer

A poet, a teacher and a state representative testified Friday in support of a motion to allow 18-year-olds to be potential federal jurors in Detroit's White Panther bombing conspiracy trial.

Three Panthers — John A. Sinclair, Lawrence R. (Pun) Plamondon and John W. (Jack) Forrest—are accused of conspiring to bomb the Ann Arbor office of the Central Intelligence Agency in 1968. Plamondon is also accused of doing the actual bombing.

DEFENSE attorneys are arguing that the field of potential jurors, presently drawn from persons registered to vote in the 1968 presidential election, should be broadened to include younger persons down to the age of 18.

Poet Allen Ginsberg of New York argued that the opinions of people under the age of 29 differed significantly from those of older Americans because young people have "the realization that for the first time there is a whole generation trapped on an earth that may be doomed."

Ginsberg said the belief that "no man alive under the age of 30 can expect a peace-

ful world to live in beyond the year 2000" has forced younger people to search for new answers to the problems of war, pollution and overpopulation.

Dr. Gerald Kline, a journalism professor of the University of Michigan, introduced figures designed to show that people in their 20s vote proportionately less than older people, making a jury list drawn only from registered voters discriminatory.

State Rep. Jackie Vaughn III of Detroit said "young people who had long hair or funny dress got a negative reaction from (older) voters" last fall when they campaigned unsuccessfully to lower the Michigan voting age to 18.

The U.S. Supreme Court declared in a ruling last month that 18-year-olds have



Bond



Vaughn

the right to vote in future federal elections. The court action led to the White Panther defense motion currently being argued here before U.S. District Judge Damon J. Keith.

Keith accepted Ginsberg and Vaughn as expert witnesses about young people though strenuous objections were filed by Assistant U.S. Attorney John H. Hausner, head of the prosecution team.

HAUSNER called the opinions of the 44-year-old Ginsberg "the fantasies of a middle-aged man who can't admit that his youth is gone."

Hausner said Ginsberg's testimony did not prove a generation gap exists, but only indicated there is "a Ginsberg gap, the gap between those who agree with him and those who don't."

The pre-trial hearing on the defense motions will resume at 9:30 a.m. Saturday with Georgia State Rep. Julian Bond scheduled to testify in behalf of the 18-year-old juror motion.

The trial is scheduled to begin Jan. 26. The three defendants face maximum penalties of five years each on the conspiracy charge. Plamondon is threatened with an additional 10 years if he is convicted of the bombing.



THE DETROIT NEWS  
17 Jan 1971

## Peers excluded, defense charges

# Panther jury ruling is due

By STEPHEN DOBYNS  
News Staff Writer

Federal Judge Damon J. Keith is expected to decide this week if three White Panther members can go to trial without having to throw out the entire list of prospective jurors.

White Panther defense attorneys argued their clients could not be tried by a jury of their peers because a certain segment of the population had been arbitrarily excluded from the list of jurors.

Jurors presently are selected from the 1968 voter registration list.

The White Panthers, Lawrence R. (Pun) Plamondon, 25; John Sinclair, 28, and John W. Forrest, 21, are accused of conspiring to bomb CIA offices in Ann Arbor. Plamondon is charged with the actual bombing on Sept. 29, 1968.

SINCLAIR is serving a 9½-10 year prison term for possession of marijuana, his third offence.

Forrest, arrested with Plamondon in St. Ignace July 23, pleaded guilty earlier to harboring a fugitive, Plamondon.

Plamondon has been held without bond since his arrest.

The 1968 list, the defense argued, excludes those persons under the age of 23 years and nine months — who were too young to register to vote in 1968 down to 18-year-olds, who should be included because a December ruling by the U.S. Supreme Court that 18-year-olds will have the vote in future federal elections.

The defense argued that because a person did not register to vote is no reason to exclude him from jury duty and that such an exclusion is discriminatory.

Assistant U.S. Attorney J. Kenneth Lowrie said, "Jury service is a duty not a right. The defendants are asking for preferential treatment, asking for a jury which is more apt to acquit them."

He said the 1968 voter registration lists were still valid for jury selection and questioned Weinglass's interpretation of the congressional mandate.

Keith also will decide this week, after hearing final arguments by the defense, whether or not federal wiretaps made on Plamondon's telephone are admissible as evidence.

**DEFENSE ATTORNEY** Leonard Weinglass said that in the court's district there are about 450,000 persons between 21 and 29. Of these only 630 are on the 1968 jury list and all but 74 were excluded as prospective jurors because they were students, servicemen or mothers with young children.

Weinglass said the Congress had stipulated that if a jury list does not reflect an accurate cross-section of the community it should be supplemented with the names of prospective jurors taken from other lists, such as census rolls.

Calling the present list unconstitutional and against the congressional mandate, Weinglass said, "This court has the power . . . to expand this jury list so we have a true cross-section of the community."

If Keith throws out supplements the present list it would mean a postponement of the trial which is scheduled to start Jan. 26.

**THE LAST WITNESS** called by the defense was Georgia State Rep. Julian Bond who said the three defendants should be tried by a jury which includes members of their peer group.

"No juror, if he's completely honest with himself, comes in entirely without bias," he said.

Although lawyers attempt to weed out biased jurors, Bond said this can't be done completely. What is hoped for, he said is that all attitudes should be represented on the jury so there can be an "averaging out of bias."



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## DETROIT RADICALS FACE BOMB TRIAL

### Defense Challenges Jury System and Wiretapping

By AGIS SALPUKAS  
Special to The New York Times

DETROIT, Jan. 16—The only disruptions at the pretrial hearing this week for three members of the White Panther party charged in the bombing of a Central Intelligence Agency office have been caused by a baby and small children.

They occasionally squeal, or crawl on the courtroom floor, or dash up to the defendants to show drawings or to get hugs. They belong to the small group of radicals attending the hearings at the United States District Court and their antics have been accepted with good nature by the judge, prosecution and defense.

Although this case has had none of the bitterness and disruption of the trial of the Chicago 7, the intent of the defense lawyers is to turn the case here into a challenge of the American judicial process similar to that made in the Chicago trial.

#### Defense Motions

Leonard Weinglass, who was part of the team that defended the Chicago 7, and Hugh Davis have made two motions for the defense that they said they would carry to the Supreme Court if Judge Damon J. Keith ruled against them.

The defendants are John Sinclair, a 28-year-old poet convicted last July of possession of marijuana, who is charged with conspiracy in the bombing; John W. Forrest, 21, also charged with conspiracy; and Lawrence R. (Pun) Plamondon, 25, who is charged with actually performing the bombing on Sept. 29, 1968, at the C.I.A. office in nearby Ann Arbor, Mich.

One motion argued that people under 40 were underrepresented on the voter registration list from which juries are selected and that people over 40 who make up the majority of juries could not make a fair judgment in the case.

The second motion argued that the defense was entitled to examine the logs of wiretap evidence gathered against Mr. Plamondon.

Allen Ginsberg, the 44-year-old poet laureate of the beat generation, flew here from his farm in Cherry Valley, N. Y., to testify on the first motion.

Mr. Ginsberg said he was convinced that a separate youth culture had developed in the last few years that few people of the older generation could understand.

"There is generally a mockery of the idealism and fear of young people," he said. "Their apocalyptic sense of the nearing of the end of our planet is treated as a joke."

John H. Hausner, the government's chief prosecutor, brought out through Mr. Ginsberg's testimony that he had not spoken to young wounded veterans in hospitals, Boy Scout troops, or Sunday School classes and said it seemed to him there was more of a "Ginsberg gap than a generation gap."

#### Wiretap Issue

William M. Kunstler, a defense attorney in the Chicago conspiracy trial who is free on bond on a four-year sentence for contempt of court, argued the motion on wiretap evidence.

Attorney General John N. Mitchell, in an affidavit filed with the court, said that the wiretaps made without a court order should be kept secret since they were "being employed to gather intelligence information deemed necessary to protect the nation."

Mr. Kunstler said the Attorney General was asking for "carte blanche to violate the Fourth Amendment."

The White Panther party, founded by Sinclair, has its headquarters in a commune of about 20 people in Ann Arbor. The self-styled revolutionary group purports to have about 30 chapters around the country but even party officials say they do not know how big the membership is.

Mr. Kunstler and Mr. Ginsberg are helping to raise money for the defense.

At the campus of Western Michigan University in Kalamazoo, about 3,000 students paid \$1 each on Thursday night to hear Mr. Ginsberg recite poetry and urge them to participate in nonviolent demonstrations around the White House next spring.

Greg Green, a junior majoring in English, listened to Mr. Ginsberg recite a 20-minute poem about what the poet had observed on his communal farm last September.

At the end, the student shook his head and said: "He's remained too detached from a culture that he's proclaimed to lead."

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# The Plight of a 'White Panther'

By ROGER RAPOPORT  
Special to The Star

DAVISON, Mich. — Elsie Sinclair chain smokes at the kitchen table while pork chops fry in the electric skillet. She is a handsome, nervous woman, buoyed by the visit of her daughter-in-law Leni, and two grandchildren.

Four-year-old Sonny plays Lotto with his grandfather, Jack Sinclair, while Leni nurses her infant, Celia. Both Leni and Sonny wear purple buttons that say "Free John Sinclair." John Sinclair is the eldest son of Jack and Elsie, husband to Leni and father of the two little girls.

John Sinclair, the 28-year-old chairman of the White Panther party, is serving a nine-and-one-half to 10-year sentence in Southern Michigan Prison at Jackson because he gave two marijuana cigarettes to an undercover policeman.

And on Jan. 23 Sinclair and two of his fellow Panthers go on trial in Detroit for allegedly blowing up the CIA's Ann Arbor storefront recruiting office in the fall of 1968.

They were indicted in October 1969, about two months after Sinclair began serving his marijuana sentence. The Panthers were implicated by David Valler, a youth who confessed involvement in the bombing but accused Sinclair and his radical friends of masterminding the plot.

Here in Davison, a town of 3,709 about 70 miles northwest of Detroit, Elsie Sinclair says she plans to take time off from her job as a school teacher to attend John's upcoming trial.

Sinclair says he's innocent: "I didn't even know the CIA had an office in Ann Arbor until I read in the paper that somebody had blown it up. The only crime I'll ever admit to is the only one I ever committed, the assassination of President McKinley in 1901."

Of course Elsie believes in her son's innocence and she has abandoned her plan to retire from school teaching so there will be enough money to pay for John's lawyers: "Six, seven years ago, when John first started growing long hair, living with Negroes, smoking marijuana, and talking all this radical stuff, I was shocked."

But after I began to see the way the police harassed and persecuted him I began to read and think a little more about what he was saying and it made sense."

Sinclair's family and friends believe he is a political prisoner, but his rebellion has not been strictly political. As his wife Leni explains:

"After John finished college and moved to Detroit in 1961 he decided against simply joining the local Committee to End the War in Vietnam. It was too easy to be just one more middle-class radical commuting in from the suburbs to protest the war. Protest seemed like a sideline, he wanted to set up an alternate life-style."

Sinclair's idea was to find a way for his friends to support themselves through their own creativity. He founded the Detroit Artists' Workshop, arranged club jobs for musicians, sold poetry and staged successful photographic exhibitions.

Every Sunday afternoon there were poetry readings, concerts and shows at the Artists' Workshop storefront near Detroit's John Lodge Freeway. Sinclair also rented six old homes near the Workshop for \$50 a month each and turned them into communal accommodations for 50 workshop members.

The police, however, saw the Artists' Workshop as the base of Detroit's spreading drug culture. Undercover agents soon began infiltrating the group, searching for marijuana. One agent gave himself away by showing up asking: "Is this the place where I can get some dope and hippie broods?"

But on Jan. 24, 1967, the police scored. Agents arrested 56 persons, including Sinclair. The basis for the sweeping raid was Sinclair's gift of two marijuana cigarettes to narcotics agent Vahan Kapegian nearly a month earlier. Kapegian had posed as a hippie candlemaker named Louie. He was not without soul. Shortly before the Jan. 24 bust, Kapegian contributed a bag full of fried chicken to a workshop communal dinner.

Charges against most of the 56 persons arrested were subsequently dropped. Sinclair's in-

about it after being released on bail. He kept busy expanding the Workshop commune into a psychedelic conglomerate called Trans-Love Energies.

Soon five rock musicians from suburban Livonia joined up and gave Trans-Love a national reputation. The musicians called themselves the MC-5 and an allied Trans-Love light company brought psychedelic performances to appreciative young audiences.

By late 1967 Sinclair's hair billowed past his shoulders and he was articulating the Trans-Love philosophy: rock and roll, dope and love-making in the streets. Sinclair rejoiced over the ability of the MC-5 and similar groups to capture the minds of the young and destroy the old order: "You don't need to get rid of all the hokies, you just rob them of their replacements, let them breed, atrophy and die out, with the hairs cheering triumphantly all around."

But as the MC-5 soared to the top of the charts with "Kick Out the Jams," Trans-Love began having problems with the community. Firebombs were tossed at the commune and building inspectors found code violations.

In June 1968, after the band was charged with several noise violations, the commune decided to migrate 40 miles west to Ann Arbor. Two big communal homes were rented in the middle of the University of Michigan's fraternity row. The White Panther party was formed to provide a practical political organization for young white rebels.

Modeled along the lines of the Black Panther party, this organization now claims about 3,000 members in various chapters across the country. The primary goal of the party is liberation of the youth culture. Specific aims include abolition of money, dissolution of all political boundaries, legalization of marijuana, release of all political prisoners, free education and an end to the draft.

Panther literature began going out to high school students, particularly in the Midwest, and angry parents asked postal officials to ban it.

Clyde Smith of the Pontiac,

"It's strictly the filthiest stuff I've ever seen. Ten, 11 and 12-year-olds are receiving it. I'm bewildered with some of it and it frightens me." Two Panthers were charged with distributing obscene materials to minors and several obscenity cases were brought against record store clerks who sold the MC-5's "Kick Out the Jams."

One national magazine wrote that the record album was "rancid with rotten revolutionary rhetoric, and the music... well, there's no music, just sound: ugly crashes and bangs and whizzes and wings and diags... manic, vulgar sound."

Sinclair ignored the criticism and worked hard to reduce tensions between Ann Arbor youth and police. He encouraged youths "to attend city council meetings and make themselves heard instead of sitting around bitching about conditions."

The Panthers negotiated with the city fathers to obtain permits for Sunday afternoon concerts in local parks. They wanted youths to stay away from dangerous drugs like heroin, morphine and barbiturates.

By the summer of 1969 Sinclair was so busy working on these problems that he had nearly forgotten about the 1967 marijuana offense. But when he was notified of a July trial date he didn't panic; he organized an elaborate defense challenging the constitutionality of marijuana prohibition.

In court medical experts told a three-judge panel that marijuana was not addictive and that it was safer than cigarettes. But the panel threw out the challenge and on July 25, 1969, he was convicted. He was sentenced July 28, 1969 by the Detroit Recorder's Court Judge, Robert J. Colombo:

"John Sinclair has been out to show that the law means nothing to him and to his ilk. Well, the time has come. The day has come. And you may laugh, Mr. Sinclair, but you have a long time to laugh about it. Because it is the judgment of this Court that you, John Sinclair, stand committed to the State Prison for a minimum term of not less than nine and one-half nor more than 10 years."

For two marijuana cigarettes. (Roger Rapoport)

DETROIT, MICH.

NEWS

JAN 16 1971

E - 592,616

S - 827,086

## Rulings conflict in CIA bombing, wiretap evidence

By JEFERY HADDEN  
News Staff Writer

Federal Judge Damon Keith has been asked to choose between two conflicting court rulings in deciding whether to permit wiretap evidence at the trial of three White Panthers charged in the bombing of Ann Arbor's CIA office.

At issue is the question of whether the U.S. attorney general must obtain a Federal Court warrant to tap the telephone of a person suspected of plotting against the government.

The defendants are Lawrence R. (Pun) Plamondon, 25, charged with the actual bombing, which occurred Sept. 29, 1968, and John Sinclair, 28, and John W. Forrest, 21, both accused of conspiracy.

U.S. Atty. Gen. John N. Mitchell has admitted in an affidavit that federal agents had tapped Plamondon's telephone without a warrant from a federal judge.

FEDERAL LAW permits wiretaps without court warrants in cases involving sus-

pected foreign subversives, but bars them in domestic criminal cases. The law is unclear on domestic subversion cases, observers say.

Defense attorney William M. Kunstler told Keith he knows of only one previous case in which a federal judge had ruled on precisely the same issue. He cited a decision earlier this week by a California judge who said that warrants are required.

Assistant U.S. Attorney John H. Hausner, however, said a federal judge in Kansas had ruled last September that such wiretaps were legal in cases designated by the attorney general as involving threats by domestic insurgents against national security.

THE CONFLICT grows out of a pretrial motion in which Kunstler has asked Keith to bar the wiretap evidence against his clients. Keith gave no indication on when he would announce a decision.

The defense is also asking that 18-year-olds be authorized to sit on the Panthers' jury.

It cited the recent U.S. Su-

preme Court ruling granting 18-year-olds the right to vote in future federal elections. Presently, jury rolls are taken from voter registration lists which still do not reflect the 18-year-old vote decision.

Several defense witnesses have testified that the federal court system, in its jury selection procedures, is weighted against persons under 29.

Dr. Gerald Kline, an assistant journalism professor at the University of Michigan, testified yesterday that youths are suspicious of the traditional political process.

BECAUSE OF THIS, Kline said, many refuse to register to vote and hence would not be summoned to jury duty.

The defense concluded yesterday's session with the testimony of State Rep. Jackie Vaughn III, Detroit Democrat.

Vaughn said "many young people regard the traditional political system as 'hopelessly lost.'"

Campaigning for the state 18-year-old vote amendment last year revealed a large amount of prejudice against youths, Vaughn said.

16 Jan 1971

# U.S. Opposes Young on Panther Jury

BY LEE WINFREY

Free Press Staff Writer

A federal prosecutor contended Saturday that three members of the White Panther Party accused in a bombing case are seeking "preferential treatment" in trying to get 18-year-olds on their jury.

"They are saying that they are somehow better (than all other defendants), and entitled to a jury that is more likely to acquit them," said Assistant U.S. District Attorney J. Kenneth Lowrie in a hearing before U.S. District Judge Damon J. Keith.

Hugh M. (Buck) Davis, one of three defense attorneys for White Panthers John A. Sinclair, Lawrence R. (Pun) Plamondon and John W. (Jack) Forrest, denied Lowrie's charge.

"Whatever we gain (in new jury procedures) will be automatically extended to all criminal defendants," Davis said.

The defense lawyers contend that the Panthers cannot receive a fair trial unless their panel includes younger jurors more sympathetic to the Panthers' long hair, beards and blue jeans.

Sinclair, Plamondon and Forrest are accused of con-

spiring to bomb an office of the Central Intelligence Agency in Ann Arbor on Sept. 29, 1968. Plamondon is additionally charged with the actual bombing.

FEDERAL juries here are now selected from persons registered to vote in the 1968 presidential election. The defense offered Georgia state Rep. Julian Bond Saturday to support its contention that such a selection system discriminates against younger people.

Bond, a 31-year-old Atlanta Negro, testified that young blacks in particular register to vote in proportionately smaller numbers than older blacks.

"Young blacks," said Bond, "harbor a great deal of suspicion toward politics. They don't believe that there are any rewards for them (in the standard political system), either singly or as a group."

Under cross-examination by Assistant U. S. District Attorney John H. Hausner, Bond conceded that a 21-year-old black juror might be so hostile toward the government that he might be biased against federal prosecutors.

Judge Keith took the jury question under advisement. He is expected to rule before Jan. 26, the date set for the opening of the trial.

Keith also took under advisement a defense request to see the logs of wiretaps which the government has conceded were placed on Plamondon.

Hausner opposed the re-

quest, saying that the taps were legal because they were ordered by U. S. Attorney General John Mitchell, and that no material gained from them will be used in Plamondon's prosecution.

In an affidavit to Keith last month, Mitchell said he opposed the defense request because making the taps public "would prejudice the national interest."

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THE DETROIT NEWS  
15 Jan 1971

Termed spokesman for nation's young

# 'Beat' poet testifies in CIA

## case

By JEFFERY HADDEN  
News Staff Writer

Allen Ginsberg, poet laureate of the Beat Generation, world traveler and self-styled guru, testified in court yesterday that the Federal Court system is out of touch with the feelings and desires of the nation's young people.

He was called to the stand by defense attorneys in the bombing of Ann Arbor CIA office now being tried in Federal Court.

Billed by the attorneys as a spokesman for all people under 29, Ginsberg's opening testimony dealt with his trav-

els and was repeatedly interrupted by prosecution objections over his authority to speak for such a broad spectrum of U.S. society.

The hearing is part of the upcoming trial of the "Ann Arbor Three" accused in the Sept. 29, 1968 bombing.

Accused are Lawrence R. (Pun) Plamondon, 25, charged with the actual bombing; John Sinclair, 28, and John W. Forrest, 21, accused of conspiracy.

**DEFENSE ATTORNEYS** have cited the U.S. Supreme Court's Dec. 21 ruling which grants 18-year-olds the right to vote in future federal elections in an attempt to get more young people on Federal Court juries.

Their motion, filed Dec. 23, is believed to be the first such court use of the 18-year-old vote rule.

The defense also argued that all people under 40 are statistically under-represented in the jury pool, and that the voter registration lists from which jurors are chosen exclude everyone under the age of 23.

Federal law requires that prospective jurors be chosen from voter registration lists. In this district, lists are updated after each presidential election.

John H. Hausner, the gov-

ernment's chief prosecutor, objected repeatedly to Ginsberg's testimony.

Federal Judge Damon J. Keith, however, permitted the testimony, but reserved a ruling on Ginsberg's qualifications until Hausner completes his cross-examination.

Ginsberg testified that the beginnings of what he termed a "new consciousness" arose in the late 1950's, illustrated by the writings of novelist Jack Kerouac and poet Lawrence Ferlinghetti.

**GINSBERG SAID** he has observed the mood of young people in lecture tours at several hundred colleges and universities over the past 10 years.

Judge Keith asked Ginsberg if he has spoken with youth in the ghetto. Ginsberg answered that he has lived on New York City's lower east side, which he termed a "mixed" community, while not on tour or abroad.

Cross-examination of Ginsberg continued today.

In another development yesterday, defense attorney William Kunstler asked Keith to force the government to reveal logs of wiretaps placed on Plamondon's telephone.

The government already has admitted tapping the phone, but it has argued that the tapping was legal because it had been authorized by U.S. Atty. Gen. John N. Mitchell.

Kunstler said Mitchell had failed to obtain a warrant from a federal judge authorizing the wire taps, and he asked for a separate hearing to determine their legality.



-UPI Telephoto

ALLEN GINSBERG  
Called to testify



Press Intelligence, Inc.

WASHINGTON, D.C.

Approved For Release 2001/03/04 : CIA-RDP80-01601R0001001000012

Front Page	Edif Page	Other Page
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KALAMAZOO, MICH.

GAZETTE JAN 15 1971

E - 58,086

S - 60,100

# 'The People' Vs. Courts

## Defense Attorney Kunstler Pleads His Case At WMU

By ARTHUR SILLIS  
Gazette Staff Writer

Claiming the nation is in a Nazi-like nightmare, William M. Kunstler Thursday urged "unity against repression before it's too late."

The country's courts are being used to crush dissent, the defense attorney told an audience of some 2,000 at Western Michigan University.

It is, he said, "the utilization of legal processes to crush social movements, to keep decaying systems alive a little longer and to stagnate and frustrate the power of the people."

The trial itself "is the obscenity...that will do the legalized murdering," he said.

"The strange thing in this country is that we take the courts seriously" when they are "used to destroy good men and good women," Kunstler said.

"We tolerate them when we should destroy the institution that can be so perverted," he told the applauding audience at Read Field House. Many of the youthful listeners sat on the floor.

Kunstler shared the platform with poet Allen Ginsburg at the Thursday night program sponsored by the WMU Associated Student Government and the newly-formed Serving the People (STP).

The attorney threaded his 45-minute address with warnings that the anti-war movement is marked for destruction and must unite against it.

"Otherwise," he said, "they will divide and conquer all of us."

The 51-year-old Kunstler has appeared in countless court



A THANK-YOU KISS — Poet Allen Ginsberg expresses his thanks in Detroit to attorney William Kunstler for bringing him to the preliminary hearings of three white panthers accused of bombing a CIA building in Ann Arbor. Later Thursday Kunstler and Ginsberg traveled to Kalamazoo where they spoke at WMU's Read Field House.

rooms for a client list that reads like a roster of dissent.

Dr. Martin Luther King, Malcolm X and the Freedom Riders are on it. So are Adam Clayton Powell, Jack Ruby and Jerry Rubin.

He was named this week as defense attorney for six persons, including the Rev. Philip Berrigan, accused in a conspiracy - to - kidnap - and-bomb plot.

The federal indictments indicate, said Kunstler, that court force is now aimed at the American middle.

Contrasting the six with the "extreme" of Yippie leader Jerry Rubin, he said they were named "because they are all people."

If the six are convicted, he

focus upon dissenters as the enemy, authorities will take the country's force to "intimidate, terrorize all of us," he said.

At a press conference, Kunstler claimed the federal kidnap-bomb charges are part of a political timetable tied to the Vietnam War.

"By August, 1972, the war has to be settled one way or another" he said.

With the Paris peace talks apparently stalemated, he said military power would be used to end the war.

The anti-war movement is the nuclear warheads, he said, so the timetable calls for the

general repression."

His field house address was broken by applause several times, along with shouts of "Right On!" from the audience, mostly college-age.

Trim in a black and white checked suit, Kunstler has an angled face (Esquire said he looks like "Lincoln on pot") framed by bushy gray sideburns and topped by a scoop of curling silver-flecked black hair.

His WMU address was a roving, rambling talk strung with warnings about rolling repressions and urgings to work for a "freer, more decent, more loving society."

He compared the new bomb plot charges to the Nazi arson of the Reichstag that was blamed on scapegoat communists to spur Hitler's seizure of German power.

Demonstrations of the use of "seemingly legal procedures" to crush dissent are all through history, including the trial of Jesus, said Kunstler.

Kunstler catalogued the pivots of protest: My Lai, Kent State, Jackson State, the "murder of (Black Panther) Fred Hampton in his bed in Chicago," the trials of Bobby Seale, Angela Davis and John Sinclair.

"How can we live with these things and call ourselves men and women?" he asked.

"If it isn't you that moves... your generation... we will stand forever... and more good men and women are going to go down in the dust of our system."

"Power to the People has a meaning," he said, "It means they must seize the power."

continued

# U.S. tightens security guard

By a staff correspondent of  
The Christian Science Monitor

Washington

A greatly intensified effort to protect public servants from politically motivated harm has been undertaken by the Secret Service, the Federal Bureau of Investigation, and the Central Intelligence Agency.

The chief members of the government here, as well as the personnel of foreign embassies in Washington and American embassies abroad, are being given a rapidly expanded guard.

Meanwhile, programs to train specialized police and intelligence agents for this purpose are proceeding under forced draft.

Very little is being said in public about this effort, lest ideas for blackmailing governments and their officials be planted in militant or unstable minds. The results of the intensified protection are visible as well as known to Washington news correspondents, however.

The issue is pointed up by the Berrigan affair which now is being given wide publicity because it is unavoidable, in view of a public grand jury indictment, and because it shows what is represented by the indictment as successful police work by the FBI.

## Kidnap plot charged

Charged with conspiracy, the accused have to be considered innocent unless their forthcoming court trial results in a guilty verdict for any of seven indictments, which presume the possibility of conspiracy to blow up the heating pipes for some federal buildings here, and thereafter to kidnap Presidential Assistant for National Security Affairs Henry A. Kissinger.

It is assumed by the FBI that an anti-war group calling itself the East Coast Conspiracy to Save Lives including a number of Roman Catholic priests like the Rev. Philip F. Berrigan, a former priest, and a nun who were included in the indictment, is not pacifist as claimed, but willing to commit crimes to try to stop the fighting in Vietnam.

This is denied by those of the defendants who have spoken publicly, and by other members of the so-called East Coast Conspiracy.

Without drawing any conclusions from this case, which is yet to be tried, it shows the greatly enlarged effort of the FBI to deal with the dangers of a period in which both normal and abnormal persons have been increasingly involved with violence because of the violence of the Vietnam war.

## Legal violence Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2

There are many cases, some disclosed, others kept quiet, and still more before the courts, in which a kind of guerrilla war has

been declared against governments and their hitherto vulnerable top men. It is conducted by persons and groups who are willing to use illegal violence to protest what the government considers to be a legal form of violence in the Vietnam war.

Without attempting a judgment on the political and social questions involved, or the legal questions, the result has been a wave of efforts to blackmail governments on the part of frustrated citizens.

Americans are highly conscious of the three assassinations of two Kennedys and Dr. Martin Luther King, and of the hijacking of airplanes in the recent Jordanian crisis. They have heard of the kidnappings of American, British, Canadian, and Latin-American diplomats and public figures. They have been told that security agents now are flying on American international plane routes.

## 'Social causes'

What they have not seen is the guards accompanying many more officials than Mr. Kissinger, or standing outside embassies here.

In his most recent issue of Uniform Crime Reports, FBI Director J. Edgar

Hoover makes a discreet reference to the "social causes" along with other causes of the sharp increase in crime in the past year. He refers to controversial legislation passed by Congress and state legislatures, which he calls "positive action" to meet, among other things, "civil disorder crises."

He does not mention the sharp increase in agents of his and other protection agencies, which appear only in legislative appropriations.

The questions which arise of protecting innocent persons from a wave of new security measures and from public pressures to solve crimes of this sort are yet unanswered and only began to be discussed by the expiring Congress in any detail.

But the known and unavowed incidents of the new kinds of guerrilla war are pressing on the police and they are responding under counterpressure.

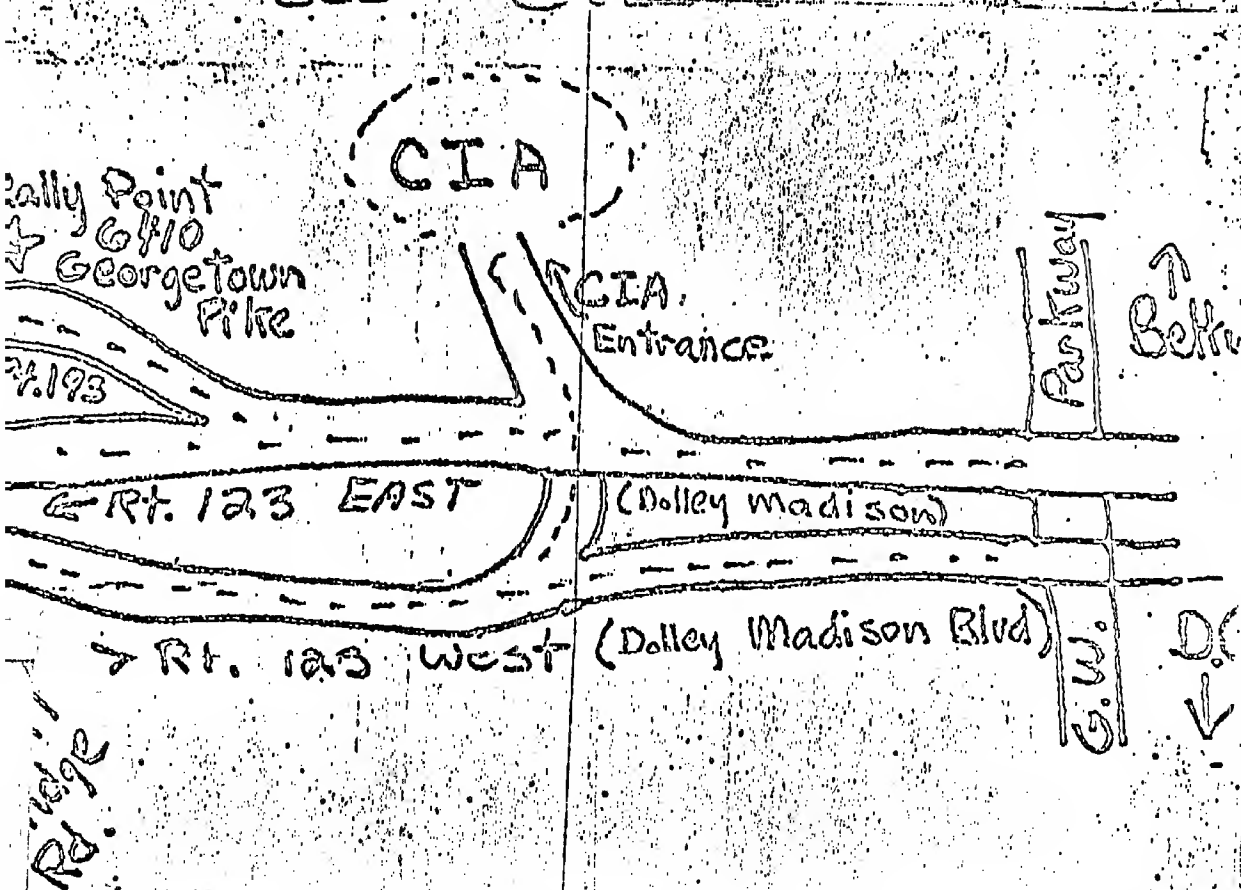
A new era embracing new levels and techniques of law enforcement, along with its attendant problems of personal liberty and defense of the innocent, seems to be opened. Whether it will abate with the winding down of the Vietnam war, assuming that takes place as hoped, remains to be seen.



Protest

STATINTL

# U.S. Involvement in S.E. ASIA



As a part of the Massive Anti-War Spring Offensive beginning in the D.C. Metro Area on April 26th, in the form of non-violent civil disobedience at key governmental institutions and at key arterios of traffic leading to these institutions, we of Northern Virginia are calling for a NON-VIOLENT gathering to protest the U.S. government's involvement in South East Asia and to build support for a JOINT TREATY OF PEACE between the people of North and South Vietnam. It will take place on April 28th, Wed., with people rallying at the Quaker Meeting House, 6410 Georgetown Pike (Rt. 193), at 2:00 p.m. There will be training sessions in non-violent civil disobedience from 2:00 to 3:00 at the church along with an information table, speakers, and small workshops. At 3:30 people will march down Rt. 193 to the entrance of CIA. This march will be of a non-violent nature. We have chosen the CIA as a target because of their role in training militia forces to provoke genocidal war in S.E. Asia. This call is one of much importance so please show your numbers. PEACE IS COMING... BECAUSE THE PEOPLE ARE MAKING THE PEACE... For more info call the Northern Va. May Day Info. Center at 321-7790 or come by 5312 Queensberry Ave, Springfield, Va.

# Last U.S. Green Beret Camps Turned Over to S. Vietnamese

SAIGON, Jan. 4 (AP)—The saga of the Green Berets in Vietnam came to an end today with the transfer of the last two Special Forces camps to the South Vietnamese.

The move reflected the Vietnamization of the war and the downgrading of the Green Berets, currently out of favor with U.S. Army regulars though their exploits won them fame in song and story, and even a movie.

At their peak, the Green Berets operated 80 camps in Vietnam, mostly near the borders of Laos and Cambodia.

At the camps, small teams of Green Berets recruited and commanded civilian irregular mercenaries, largely mountain tribesmen called Montagnards.

The camps had been operated by the U.S. Special Forces since 1964, although some Green Berets were sent to Vietnam as early as 1961 on temporary assignments. Sources said Green Berets would continue to lead clandestine operations in Laos. Informants said the Green Beret unit is likely to return to Ft. Bragg, N.C.

The last camp transfers were carried out as the U.S. Command announced further cuts in American troop strength and amid unofficial predictions that the American withdrawal from Vietnam would be speeded.

The U.S. Command announced a drop in troop strength of 2,100 men, lowering the total of American servicemen in Vietnam as of Dec. 31 to 335,800.

The figure was the lowest in four years and 8,200 below the 344,000 men President Nixon had set as the goal for the end of last year.

On the battlefields no major action was reported, but U.S. B-52 bombers attacked North Vietnamese positions in South Vietnam for the first time in a month.

In Vientiane today, informed sources said a secret military operation in northern Laos has failed to destroy North Vietnamese supplies pouring into the Plain of Jars.

But the informants said the operation has succeeded partially in taking pressure off the U.S. Central Intelligence Agency's Long Cheng nerve center southwest of the plain.

Laotian military spokesmen have refused to disclose details of the month-long operation centered on Ban Ban, east of the Plain of Jars, and newsmen are forbidden to travel to the area.

**STATINTL**

**Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2**

**Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2**

Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2

MEMORANDUM FOR: Mr. Joseph C. Goodwin  
Assistant to the Director

SUBJECT : Aerial Photos of CIA Buildings

REFERENCE : Memo dtd 29 Nov 66 to DD/S fr Mr. Goodwin  
same subj.

Mr. Bannerman will appreciate your ordering prints of the excellent aerial photos in the quantities we have indicated in the attached list. We will then make further distribution to components within the Support Services.

STATINTL



Executive Officer to the  
Deputy Director for Support

Att

30 DEC 1966

Approved For Release 2001/03/04 : CIA-RDP80-01601R000100100001-2

AERIAL PHOTOS

<u>Number</u>	<u>Total DD/S</u>	<u>Number</u>	<u>Total DD/S</u>
N-3	1	W-4	2
4	3	5	4
5	1	6	3
6	2	11	2
7	2	12	1
12	4	14	3
14	1	16	1
17	2	21	1
19	3	22	1
20	2	27	2
21	1	30	1
22	1	32	1
23	2	33	3
24	3	34	3
25	1	35	2
26	2	36	1
27	1	37	2
28	3	38	1
30	3	41	2

STATINTL

CIA 601R000100100001-2

*Building*  
*Grounds*

MEMORANDUM FOR: [REDACTED]

1. Attached are the photographs  
you requested.

2. It was a pleasure to obtain  
them for you.

Joseph C. Goodwin  
Assistant to the Director

18 January 1967  
(DATE)

FORM NO. 101 REPLACES FORM 10-101  
1 AUG 54 WHICH MAY BE USED.

(47)

*Hold for Mrs B.*

TRANSMITTAL SLIP		DATE
TO: Mr. Joseph C. Goodwin		
ROOM NO. 1F04	BUILDING Hqs.	
REMARKS:		
<p><i>NB</i></p> <p><i>Susp. 31 Jan.</i> <i>To J.L.B.</i></p> <p><i>Order placed by [REDACTED]</i> <i>On 1-6-67.</i></p> <p>STATINTL</p>		
FROM: Executive Officer to the DD/S		
ROOM NO. 7D18	BUILDING Hqs.	EXTENSION 6535

FORM NO. 241  
1 FEB 55

REPLACES FORM 36-8  
WHICH MAY BE USED.

(47)